

California Historical Society

Quarterly

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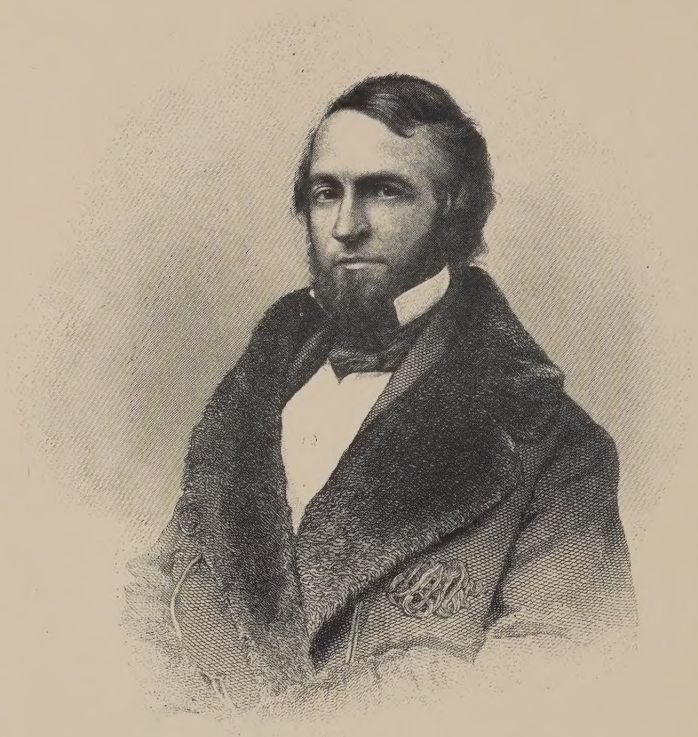
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J. A. McDougall.

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JAMES A. McDOUGALL

A FORGOTTEN SENATOR

By RUSSELL BUCHANAN

CALIFORNIA in 1850 was a new state and a new community. Wrenched from her dreamy and languid past by the discovery of gold, she was treated to a tremendous injection of new blood, which metamorphosed her entire being. Not only did miners, amateur and professional, flock to the Pacific Coast, but men of all walks of life were also to be found in the vanguard. Doctors, lawyers, merchants and the rest made their appearance. Stores were erected, offices opened, and the old struggle for the survival of the fittest went on apace.

In politics, too, the conflict was extended to California. New parties were not established; rather, men brought with them their old allegiances and on the western coast formed branches of the existing American political organizations. The leaders who emerged on the political arena, likewise, brought with them not only their party affiliations but also experience gained in the struggle for office in the older States. William M. Gwin, for example, who was one of the first senators from California, in his earlier years had been a congressman from Mississippi. David C. Broderick, later a bitter opponent of Gwin, received his elementary political training from Tammany. Senator James A. McDougall, who is the subject of this article, had sought and held political office in Illinois.

McDougall has been selected for this brief biographical study for two reasons. In the first place, he was the only California senator to serve throughout the Civil War period. After the outbreak of the war, Gwin and Broderick

were out of the picture, as far as California politics was concerned. Broderick was dead, slain in a duel, and Gwin left California to join the cause of the Confederacy and later that of Maximilian in Mexico.

Then, McDougall has been chosen with somewhat the spirit of exploring the unknown. Not a great deal has been written about this man, and very little indeed is known of his motives and ideals. It is to be hoped that this brief survey will at least bring the outlines of the man into view, so that the reader can fill in the figure with his imagination.

James Alexander McDougall was born in Bethlehem, Albany County, New York, November 19, 1817.¹ Nothing is known of his parents save that they were Scotch or of Scotch extraction.² He had, as far as is known, one sister.³

The only formal education which the boy appears to have had was in the Albany grammar school,⁴ where he was the pupil of Joseph Henry, who later became connected with the Smithsonian Institution at Washington. When still a youth, he was employed in the survey of the first railway to be built in his native State, the road between Albany and Schenectady.⁵ While it is probable that young McDougall held only a minor position during this survey, this experience may well have been one of the factors which led to his later interest in the transcontinental railroad.

McDougall was not, however, destined to become an engineer. His main interest lay in the law, and he was to be found beginning his study in the law office of Henry Lamoureux of Albany. Later he read law under Louis B. Woodward, one of the Justices of the Superior Court of New York.⁶ McDougall was admitted to the bar when he was not more than twenty years of age, and in 1837 he moved to Illinois.⁷ The reason for this emigration is not known, but it was not an unusual step, for the flow of population from New York and New England to the northern counties of Illinois was at this time quite heavy. Illinois in the forties was, furthermore, an excellent school for practical politics, for of the many young lawyers there at this time vying with each other for the laurels of State offices, several afterwards became nationally known. At this time, for example, there were in the Illinois State legislature Abraham Lincoln, Stephen A. Douglas, John J. Hardin, and Edward D. Baker.

Young McDougall first settled in Griggsville, in Pike County. He later moved to Jacksonville, where he married the daughter of Murray McConnell, an auditor of the United States Treasury.⁸ Beginning the practice of law, McDougall rose rapidly in his profession, and in 1843 became Attorney-General of the State of Illinois. That year also saw an interesting campaign in the Seventh District for the Twenty-eighth Congress. James McDougall received the nomination of the Democratic party. The struggle for the Whig nomination was three-cornered. John J. Hardin, who was later to be killed while leading a charge at Buena Vista, was the leading contender from Morgan County. Edward D. Baker, afterwards a United States Senator from

Oregon, who was also to die on the field of battle, was the second candidate. The third member of this triangular struggle was Abraham Lincoln. Hardin received the nomination, and in the ensuing election defeated McDougall by a vote of 6,230 to 5,357.⁹ The latter continued in his office of attorney-general until 1846.¹⁰

While McDougall was in office, he played a small part in the events which led to the expulsion of the Mormons from Illinois. In 1839, the Latter Day Saints had moved as a body from Missouri to Illinois, because of the opposition which had been raised against them in the former State. They soon became a political factor in Illinois because of their numbers and solidarity, and it was not long before they were disliked by the non-Mormons surrounding their central town, Nauvoo. The appearance of a dissenting element in the sect and the murder of Joseph Smith, the leader of the Mormons, seriously complicated matters. Finally, in 1845, Governor Thomas Ford went to Jacksonville, where he held a conference with five leading men of the district. These were General John J. Hardin, Major W. B. Warren, Judge Stephen A. Douglas, and Attorney-General James A. McDougall. It was agreed that these men should hasten to the scene of disturbance with the forces at hand to put an end to the disorders, and to use their influence to persuade the Mormons to leave the country.¹¹ The committee successfully carried through its program, obtaining from the Mormons the conditions under which they would leave the State. These conditions were announced to the non-Mormon population and were on the whole acceptable to them.¹² As a result, the western part of the State was again at peace.¹³

At the conclusion of his term of office, McDougall left public life for a time and moved to Chicago, where he formed a partnership with Ebenezer Peck which lasted until the former went to California.¹⁴ Peck later became a prominent Republican in the State of Illinois.

Although a lawyer, McDougall appeared to have had a liking for engineering, and in 1849 this interest became for a time dominant. At this time, after the Mexican War, in which he seems to have taken no part,¹⁵ McDougall was to be found leaving his law practice and starting west at the head of an expedition.¹⁶ Nothing is known of the other members of the party, but the purpose of the venture was to explore the headwaters of the Del Norte, Gila, and Colorado rivers, with a view either to future settlement or to a search for precious metals. The results of this trip were not satisfactory, and in 1850 McDougall was in San Francisco. It is not known exactly how he came to California, although it is probable that he made the journey overland.¹⁷ One writer even tells the story that McDougall became lost, and after wandering about in the mountains on the verge of starvation, finally arrived in San Francisco weak and in rags. There, it was said, the kindness of a former client served to put him on his feet.¹⁸

Becoming a resident of San Francisco, McDougall resumed the practice of

law, first forming a partnership with Louis Aldrich, son-in-law of Henry S. Foote, Senator from Mississippi.¹⁹ For a brief time during 1850, it seems that he was also the partner of Henry A. Haight, later governor of California.²⁰ McDougall's previous experience, coupled with his undoubted ability, soon gained for him a reputation for "wit, sarcasm, and classicism."²¹

Not content with a mere law practice, McDougall soon re-entered politics, and in October, 1850, despite his short residence in California, was elected to the attorney-generalship of the State. He served in this capacity a little more than a year, resigning December 30, 1851.²² As the presidential and congressional elections were drawing near, it is not unreasonable to suspect that McDougall may have quit his office to run for Congress. At any rate, when the Democratic convention was held on July 20, 1852, James A. McDougall received the nomination for congressman from the district comprising the southern half of the State.²³ His running mate for the northern district, was Milton S. Latham, later governor and finally senator, who was fairly prominent in the State even at this time.

The presidential election of 1852 was of especial interest to California, since it was the first in which the State had participated. The congressional campaign, as a result, did not arouse a great deal of interest. The *Sacramento Union*, at this time an outspoken Whig publication, devoted a certain amount of space to a discussion of the nominees, whereas the San Francisco papers appeared to be more concerned with the struggle for local offices than for Congress.

The Whig nominees were George B. Tingley and P. L. Edwards. Bancroft believed that this ticket was predestined to defeat because of the candidates themselves. According to this writer, Tingley had made himself unpopular earlier in the year by his bill in the California legislature attempting to introduce coolie labor into the State. The latter could not expect the vote of either the Southerners or the Yankees, asserted Bancroft, because he was a Missourian.²⁴ Quite naturally this view was not held by the *Sacramento Union*, which expressed the opinion that McDougall would be run over "roughshod" by his opponent.²⁵

General²⁶ McDougall engaged in an active campaign for election, beginning with several speeches in San Francisco. Even at this early date, McDougall favored the construction of a transcontinental railroad. Late in August he made a speech in San Francisco, stressing the importance of such a road. This was an ever popular subject in California during the fifties, and even the Whigs found nothing wrong with the speaker's views.²⁷ In September and October, McDougall made a stumping tour with his opponent, Edwards. Travelling through the central part of the State, they arrived in Sacramento, and on the 4th of September both made speeches. The Democratic candidate made a favorable impression not only upon the Democrats but also upon the

Whigs, one of whom said, "The General is a ready and interesting debater, and on the whole quite a handsome speaker."²⁸

Continuing the tour, McDougall arrived in San Francisco toward the close of October. Senator Gwin was also in San Francisco at this time, and was evidently not unfriendly toward McDougall, for on the 30th of the month the two made speeches at the Plaza.²⁹ In the election, the Democrats were successful in California and on the national scene. Franklin Pierce became President, and Latham and McDougall were elected to the House.³⁰

McDougall's career in the House of Representatives was dominated by his interest in the construction of a transcontinental railroad. When the Thirty-third Congress met, the new Representative was made a member of the Committee on the Post Office and Post Roads and of the Committee on Military Affairs.³¹ Having made clear his stand on the Pacific railroad question during his campaign, he began work on a bill providing for the building of such a road. Realizing that such a measure would require careful preparation, he proceeded rather slowly, and it was not until January 16, 1854, that he introduced a bill.³² At the same time, he moved that it be referred to a special committee of thirteen. After some discussion, his resolution to refer the measure passed, and he became the head of this committee.³³ According to McDougall, this body worked for two months on the bill, and on March 13, its chairman successfully carried a motion to make the measure the special order of the day for the second Tuesday in May.³⁴

Unfortunately for the railroad measure, the question of the organization of Kansas and Nebraska came before the House about this time. Richardson of Illinois introduced a bill similar to that brought before the Senate by Stephen A. Douglas. Debate on the question was long and bitter. Richardson, hoping to rush the bill through, on the 11th of May, 1854, moved that all debate close Friday. This motion aroused a storm of opposition, and since more time was demanded for debate, it was moved that the Pacific Railroad bill, which was to be the special order for the following Tuesday, be postponed a week or more. McDougall appears to have been a great admirer of Douglas and was in favor of the Nebraska bill, but he was not in favor of cutting off debate upon it. He made no objection, therefore, to having his measure postponed, stating that he was not "disposed to stifle proper debate on this Nebraska question."³⁵ After an acrimonious struggle, the Kansas-Nebraska bill passed. McDougall took no active part in the discussion, but voted for the measure.³⁶

After the passage of this bill, the House settled down to its ordinary routine. The Pacific Railroad bill finally came up on the 29th of May, and McDougall, as its champion, made a speech explaining and defending it. In the course of his address, the speaker made much of the unifying effect that a transcontinental road would have upon the nation. The Californians were an indomitable people, he said, who would lay the foundations of a

majestic empire on the shores of the Pacific. "Foreign power may for a time paralyze, but cannot conquer them," he asserted. "Their great destiny is already fixed. I say, sir, we have the power to achieve our destiny unaided and alone. Alone we feel the power to do it; but no wish is father to that thought. We would be brethren. We ask, if you would call us brethren, greet us as such—reach out your hand toward us, and let it be a hand as strong as iron, and let us unite in a fraternal and iron grasp."³⁷

The proposed bill met with considerable opposition, mainly on constitutional grounds, and it was apparent that it could not easily pass at this time. On the 13th of June, therefore, McDougall agreed to a postponement of further consideration of the bill until the second Monday of December.³⁸ Those who hoped that the Pacific Railroad bill would pass the House in the second session were doomed to disappointment. The measure was brought up for debate, which was featured by a verbal skirmish between McDougall and Thomas Hart Benton, who opposed the measure.³⁹ In spite of McDougall's efforts, the bill was recommitted to the special committee, and the question of a transcontinental railroad did not again come before this session of the House.⁴⁰ Apart from his advocacy of the railroad, McDougall's career as a Congressman was uneventful. There is no evidence to show that he assumed an outstanding position on any other question during this period.

The Democratic party in California, meanwhile, was being split by the personal ambitions of Broderick and Gwin. In the nominations for congressmen in 1854, a definite break occurred. The anti-Broderick group nominated James W. Denver and Philip T. Herbert. The Broderick faction nominated the incumbents, Latham and McDougall,⁴¹ despite the fact that it was well known that neither desired re-election. The latter was already aspiring to the senatorship, and neither was overly friendly to Broderick.⁴² Nevertheless, both were nominated, while they were on their way to California, and without their knowledge. When Latham arrived in San Francisco, he promptly declined the nomination, and James Churchman replaced him.⁴³ McDougall's name remained on the ballot, but his supporters did not work for his re-election, and Judge Murray published a card withdrawing McDougall's name from the ticket.⁴⁴ The reason that his name was not officially withdrawn lies in the fact that McDougall did not arrive in San Francisco until nine days after the election took place.⁴⁵

After unsuccessful attempts in 1854 and 1855 to secure the senatorship, McDougall dropped out of the struggle and for a time held no political office. Not a great deal is known concerning his life during this period. He resided in San Francisco, practising law and maintaining the reputation for high legal ability that he had already gained for himself. The best known law case with which he was connected was the famous Cora case, occurring in 1855, in which a gambler by the name of Cora was accused of the murder of a United States marshal, William H. Richardson. The guilt of the defendant was appar-

ent, but the liberal use of money and the skill of the attorneys for the defense, Edward D. Baker and James A. McDougall, resulted in a disagreement of the jury. The murder and trial aroused a great deal of indignation in San Francisco at the time, and this affair was one of the events leading to the formation of the Vigilance Committee of 1856.⁴⁶

With the close of the fifties, the question of slavery assumed a dominant part in California politics. The split over the Lecompton constitution spread to California, and caused a rift in the Democratic party. The presidential election of 1860, with the nomination of Breckinridge in opposition to Douglas, also led to a division, particularly in the pro-Lecompton faction. This campaign was the occasion of McDougall's return to active politics. Being one of the leading campaign speakers for the Douglas Democrats, he called upon the California Democrats to vote for Douglas rather than for Breckinridge. He was one of the signers of an address to the Democracy, appearing in the San Francisco *Herald*, which denounced the Charleston and Baltimore secession movement.⁴⁷ He, like many, believed that the only way to strike a blow at the disunionist element was to elect Stephen A. Douglas president.

When the presidential campaign was over, McDougall devoted his attention to the election of a senator to succeed Gwin, whose term was to expire in 1861. McDougall had not forgotten his own desire for the office, and he worked actively for election. At this time in California, there were in reality four or five parties. The Democrats had split into Breckinridge and Douglas Democrats. In addition, the Douglas group had become divided over the Lecompton issue. The Republicans, although they had carried the State for Lincoln, had not yet reached their full power, and were centered mainly around San Francisco. The Bell-Unionist party was practically negligible.

The candidates in the field for the senatorship were numerous and represented all the factions. Nevertheless, when the members of the California legislature asked the candidates to address them and state their stand on the question of the maintenance of the Union, McDougall was the only one to respond. In his speech made on January 28, 1861, he placed himself firmly on Union ground, and as a consequence won the praise of the strongly Unionist newspaper, the *Sacramento Union*.⁴⁸

When the legislature met in joint convention on the 9th of March to elect a senator, there were many nominations made. The leading contenders were McDougall, Douglas Democrat (Anti-Lecompton); T. J. Phelps, Republican; J. W. Denver, Douglas bolter (Lecompton); J. Nugent, Douglas bolter (Lecompton); and J. B. Weller, Breckinridge Democrat.⁴⁹ For eighteen ballots, there was a deadlock among McDougall, Nugent, Denver, and Weller, and it was seen that unless some sort of a union was effected no one could be elected. There were, consequently, desperate attempts made to form coalitions, and finally a union was made between the Breckinridgers and the Doug-

las bolters. Denver withdrew from the race, and the bulk of his votes went to Nugent.⁵⁰ This very nearly caused a panic among the Union-loving men of all parties, for Nugent had openly expressed secessionist views.⁵¹ On March 20, the Republicans, seeing that Phelps could not be elected, cast most of their votes for McDougall, who on the twenty-second ballot was declared elected by one vote. An error, however, was almost immediately discovered in the count, which made McDougall lack one vote of election. After some delay, he decided not to claim the election, and sent a notice to this effect to the legislature.⁵² A new ballot was thus necessary, and on April 2, the legislature, meeting again in joint convention, elected McDougall on the first ballot.⁵³ The *Sacramento Union*, soon to become hostile to the new senator, stated "To the public at large it cannot but be gratifying to reflect that an able and sound Union Senator has been elected."⁵⁴ McDougall's election would have been even more heartily received, had it not been for the fact that he was already gaining a reputation for being a hard drinker. His promise to his friends, however, to reform his habits seemed to have checked, for a time at least, this objection to his election.⁵⁵

For the first year or so, until his personal over-indulgences began to impair seriously his political conduct, McDougall performed creditable and effective service in the Senate. Since his interest in the construction of a Pacific railroad had not ceased with the termination of his career in the Lower House, his first act in the Senate was to submit a resolution that such a railway was "at the present time demanded as a military work, and also from political considerations growing out of our present disturbances."⁵⁶ This resolution was referred to a special committee, which made no report during the first session. When the Senate met in its second session in December, this special committee, of which McDougall was a member, was continued.⁵⁷

Meanwhile, the House had succeeded in passing a Pacific Railroad bill. On May 7, a similar measure was introduced into the Senate and was referred to the committee above mentioned. Although McDougall began his attempt to bring the bill before the Senate on May 12, 1862, it was not until the following month that he was able to speak on the subject. At this time he made an extended speech in exposition and defense of the bill.⁵⁸ After a protracted discussion, in which McDougall took an active part, the measure was passed by the Senate on the 20th of June, 1862.⁵⁹

McDougall's activities were by no means limited to the Pacific Railroad bill. He was a member of the committees on Finance and on Naval Affairs. He was, therefore, particularly interested in the tax bill presented in the second session, and opposed many details of the measure. His main objection was that the taxation imposed was too heavy, and he prepared a lengthy substitute for the bill which he presented as an amendment on June 5, 1862. This was in fifty-nine sections and was, according to its sponsor, based on a "simple system" of taxation on sales. The tax was a stamp tax, and inspectors and

stamp agents were to be appointed. After seeing this proposal rejected by a vote of thirty-two to three, Senator McDougall announced that he would support the bill as it stood.⁶⁰

Although McDougall had been elected with the assistance of Republican votes, the new Senator did not work any too well with the party in power and as time went on became virtually an obstructionist. In March, 1862, McDougall objected strenuously to a House resolution before the Senate which declared that Congress should co-operate and offer pecuniary aid to any State which adopted the gradual abolition of slavery. Expressing his sympathy with the sentiment of the resolution, the California Senator asserted that such an expenditure was beyond the power of Congress, and he stated his opinion that slavery was an evil that federal legislation could not cure.⁶¹

McDougall took an active interest in the case of Brigadier General Charles P. Stone, who had been in command at the disaster of Ball's Bluff. Not long after this event, Stone had been arrested and imprisoned without opportunity for court martial. Since Stone had been a citizen of California, McDougall attempted to secure an investigation of the affair. On April 11, 1862, he introduced a resolution of inquiry into the matter, and during the following days discussed the subject several times. He disclosed the fact that Stone, having heard criticism of his conduct at Ball's Bluff, had asked three times for a court of inquiry and had been told that there was no need for an investigation. McDougall denied that he was making an attack on the administration and was able to secure the passage of a resolution of inquiry.⁶²

In April, 1862, McDougall made a speech opposing the emancipation of slaves in the District of Columbia. At this time he said that the number of Union sympathizers in the South had been dissipated because of the growing belief that the administration was carrying on a war, not to restore the Union, but merely to destroy slavery. At this time the South was extremely sensitive, warned the speaker, and such measures as this bill would be unwise and in violation of the declared views of the President and the pledges of the Republican party to the country.⁶³

Senator McDougall also opposed the confiscation of the property and the emancipation of the slaves of the rebels. In defense of his stand, he declared that the great mass of the Southerners were not disloyal, that they were unarmed and kept silent because of their families, and that such people should not be deprived of their lands. He took a constitutional stand against the emancipation of the slaves, quoting President Lincoln as saying that it was not his purpose to interfere with the institution of slavery as it existed.⁶⁴

McDougall's interest in California was illustrated by his vote against the polygamy bill, passed June 3, 1862. He stated that no one objected more to the "vicious practice that obtains in the Territory of Utah" than he, but he thought that at this time the nation had enough trouble on hand without

invoking any more. The real clue to his objection was his prediction that the bill would cut off communications with the Pacific. McDougall and his colleague, Latham, were the only senators to vote against the measure.⁶⁵

Late in January, 1862, there arose the question of the expulsion from the Senate of Jesse D. Bright of Indiana. A letter from Bright to Jefferson Davis was the basis of a charge of disloyalty raised against the former. McDougall spoke briefly in favor of expulsion, stating his belief that the letter was treasonable.⁶⁶ A month later, however, Senator McDougall took a stand in favor of the admission of Benjamin Stark of Oregon, who was also accused of disloyalty. He urged the admission of Stark on the grounds that there was insufficient evidence against him.⁶⁷ McDougall's action in this case met with considerable disapproval in California. The *Sacramento Union*, which had not been opposed to McDougall's election, began in March, 1862, to criticize him. Praising his speech against Bright, the newspaper wrote of the "Senator's inexplicable course in the case of Stark."⁶⁸ The *Union* also disapproved McDougall's opposition to the confiscation of the property of rebels, at the same time accusing the Breckinridge Democrats of trying to win McDougall to their side by flattery.⁶⁹

In the summer of 1862 the *Union's* criticism of McDougall was somewhat tempered by his effective work on the Pacific Railroad. The *Sacramento* paper's changing attitude toward this senator was a gradual development. As has been pointed out, at the time of his election in April, 1861, the *Union* was favorable to McDougall. This good will was somewhat lessened by the Senator's action in the case of Stark in the spring of the following year, but was partially restored by McDougall's active interest in the Pacific Railroad bill during the summer.⁷⁰ Toward the end of the year 1862, unfavorable reports of the California Senator's personal life and of his action on several measures and resolutions gradually caused the *Union* to turn against McDougall, and by the spring of 1863 it was definitely opposed to him.

One of the main reasons for dissatisfaction with McDougall was his resolution on French interference in Mexico. In January, 1862, he had attempted without success to effect the passage of a resolution of inquiry into the establishment of a monarchical system of government in Mexico.⁷¹ One year later he introduced a similar set of resolutions.⁷² He encountered considerable opposition, and it was not until February 3 that he was able to make a speech on the subject. At this time he denied that he was presenting these resolutions with any view of attacking the administration. The speaker stressed the dangers to the Pacific States of the French intervention in Mexico, and declared that the United States would have everything to gain and nothing of value to lose by a war with France.⁷³ The *Union* criticized the resolution, admitting that it "doubtless expresses the sentiments of Congress and the people on that subject, but we are not prepared to follow such a demonstration of war. . . ."⁷⁴ The *Daily Alta California*, on the other hand, later com-

mended McDougall for his resolution. This organ, however, gave the Senator's vote against the admission of the senators from West Virginia as another objection to him, and one which would lead the California legislature to ask for his resignation.⁷⁵

This prediction proved to be very nearly correct, for, when the legislature met on December 8, 1863, the first resolution introduced into the State senate severely criticized McDougall for his actions and personal conduct.⁷⁶ When the resolution came up for consideration, it was found that McDougall had few supporters. In the discussion he was denounced for his vote on the admission of the West Virginia senators. Objection was also raised to his personal habits. He was accused of "wilful neglect of duty, absence from his post, beastly drunkenness again and again."⁷⁷ At this time the original resolution was passed by the senate and assembly condemning McDougall for his conduct and declaring that he was not living up to his pledges.⁷⁸

The rebuke administered by the California legislature was justified at least as far as McDougall's personal conduct was concerned. There is no evidence, furthermore, to show that the Senator was in any way affected by these resolutions. He had done efficient work in the Senate for about a year, but from that time on he did practically nothing of importance. Even as early as 1861, there was a report that he appeared in the Senate quite drunk.⁷⁹ Late in the summer of 1862, because of his continual intoxication, he was considered by some to have been a stumbling block for the Pacific Railroad bill.⁸⁰

An examination of the records of Congress bears out the assertion that McDougall was neglecting his duty. Coming to the Senate but seldom, then often dressed as a Spanish *vaquero* and intoxicated, he made but few speeches after 1863.⁸¹ When he did do anything he worked more and more in opposition to the administration. He opposed the so-called "indemnification" of the President for suspending the writ of habeas corpus.⁸² He also opposed the Thirteenth Amendment and voted against it.⁸³ Toward the latter part of his term, McDougall was decidedly a poor representative of his State. He did not once return to California after his election, and after 1863 there was little mention of the "Senior Senator" in California newspapers.

James A. McDougall did not live long after the expiration of his term in the Senate. Apparently greatly weakened in health, possibly by his intemperance, he retired to Albany, New York. There he became seriously ill, and on September 3, 1867, he passed away in the house in which he had been brought up as a boy.⁸⁴ McDougall had had a son who had died when a boy and who was buried in San Francisco. The father wished to be interred in the same place; so, accordingly, his body was taken to California.⁸⁵ The journey was a long one, and it was not until late in May of the following year that McDougall was finally buried in Lone Mountain Cemetery.⁸⁶

McDougall's career in the Senate was extremely disappointing. He had begun his term with the enthusiasm for Western interests that had signalized

his efforts in the House of Representatives. He had done some really good work on the Pacific Railroad bill and for the first year had worked hard on other measures. From that time on, however, he began to slip in his effectiveness as a representative of his State, until by the end of his term he was little more than a drunken clown, cutting up antics in Washington and in the Senate. During the same period, also, he degenerated from a Union-loving Democrat to a mere obstructionist.

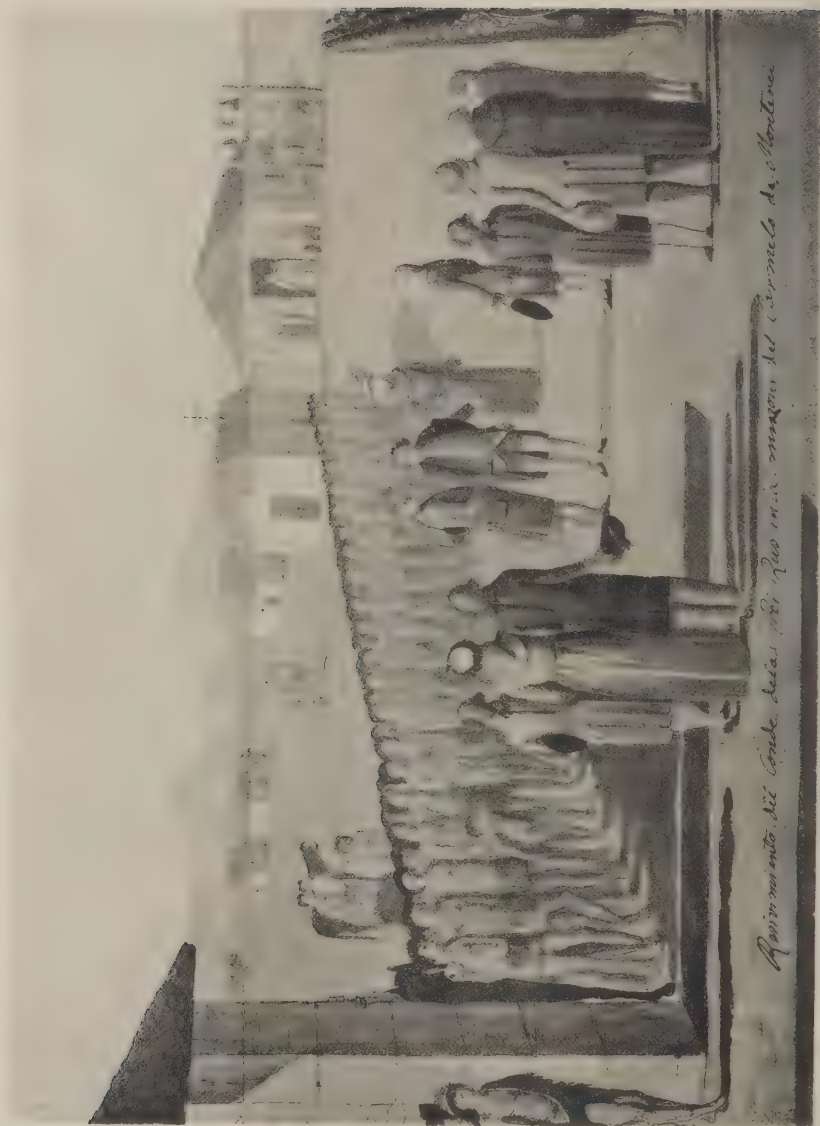
Admitting McDougall's great defects, one is tempted to picture the man he might have been. From the sketchy picture of him that comes to us, it is evident that McDougall had considerable ability, both as a lawyer and as a politician. Further than this, he had before him a great opportunity. Representing as he did a new and prosperous State throughout a major national crisis, he might well have made a name for himself in state and possibly national affairs. Instead, he neglected his duty, ruined his reputation among his contemporaries, and as a result forfeited the respect of posterity which his ability should have accorded him.

NOTES

1. *A Biographical Congressional Directory* (Washington, 1903), p. 669.
2. O. T. Schuck, *Bench and Bar in California* (Los Angeles, 1901), p. 470.
3. *San Francisco Daily Evening Bulletin*, Oct. 1, 1897.
4. H. H. Bancroft, *History of California* (San Francisco, 1890), VII, 273.
5. *New York Herald*, Sept. 4, 1867.
6. *Ibid.*, Sept. 4, 1867.
7. *Biographical Congressional Directory*, p. 669.
8. *New York Herald*, Sept. 4, 1867.
9. T. C. Pease, "Illinois Election Returns, 1818-1848," *Illinois Historical Collections* (Springfield, 1923), XVIII, 141.
10. *Illinois Blue Book, 1923-24* (Springfield, 1923), p. 632.
11. Thomas Ford, *A History of Illinois* (Chicago, 1854), p. 410.
12. W. A. Linn, *The Story of the Mormons* (New York, 1902), p. 341.
13. E. B. Greene and C. M. Thompson, "Governors' Letter-Books, 1840-1853," *Illinois Historical Collections* (Springfield, 1911), VII, ci.
14. A. T. Andreas, *History of Chicago* (Chicago, 1884), I, 429.
15. There is no evidence that McDougall fought in the Mexican War. In 1862, while making a speech in the Senate, he made the following statement, "The war with Mexico, fighting for a southern proposition, for which I fought myself, made the nation a unit until 1849." (*Cong. Globe*, 37th Cong. 2d Sess., p. 583.) A careful search of the lists of soldiers from Illinois, as given in the Adjutant General's report, fails to reveal any evidence that McDougall was a member of the force from this State, and it is highly improbable that he would have enlisted in any other State.
16. J. J. Peatfield, "Famous Californians of Other Days," in *Overland Monthly* (1895), XXV, 121.
17. Bancroft, *op. cit.*, VII, 273; O. T. Schuck, *Representative and Leading Men of the Pacific* (San Francisco, 1870), pp. 690-691; Peatfield, *op. cit.*, in *Overland Monthly* (1895), XXV, 121. For a conflicting account, see Schuck, *Bench and Bar in California*, p. 469.

18. *The National Cyclopaedia of National Biography* (New York, 1901), XI, 330.
19. Peatfield, *loc. cit.*
20. T. H. Hittell, *History of California* (San Francisco, 1898), IV, 407.
21. Bancroft, *op. cit.*, VII, 273.
22. *Daily Alta California* (San Francisco), Dec. 31, 1851. According to the *Alta*, McDougall resigned to defend a Mr. Argenti in a perjury case.
23. W. J. Davis, *History of Political Conventions in California, 1849-1892* (Sacramento, 1893), p. 22. McDougall was nominated on the first ballot, receiving 165 votes to 130 for his nearest opponent, R. P. Hammond.
24. Bancroft, *History of California* (San Francisco, 1888), VI, 671.
25. *Sacramento Union*, July 23, 1852 (editorial).
26. McDougall was called "General" throughout his career. Evidently this title dated back to his attorney-generalship, for McDougall never held the military title of general.
27. News note from the *Daily Whig*, quoted in *Sacramento Union*, Aug. 27, 1852.
28. *Sacramento Union*, Sept. 6, 1852.
29. *San Francisco Herald*, Oct. 31, 1852.
30. Davis, *op. cit.*, p. 23. The vote for Congressmen was as follows: Edwards, 31,814; Tingley, 31,774; Latham, 36,961; McDougall, 35,685.
31. *Cong. Globe*, 33d Cong. 1st Sess., p. 34.
32. *Ibid.*, p. 181.
33. *Journal of the House of Representatives*, 33d Cong. 1st Sess., p. 221.
34. *Cong. Globe*, 33d Cong. 1st Sess., p. 614.
35. *Ibid.*, p. 1162.
36. *Ibid.*, p. 1254.
37. *Ibid.* (Appendix), p. 866.
38. *Ibid.*, p. 1381.
39. *Ibid.*, 33d Cong. 2d Sess., pp. 218, 278-79; (Appendix), pp. 148-51.
40. *Ibid.*, 33d Cong. 2d Sess., p. 356.
41. Davis, *op. cit.*, pp. 30, 32.
42. James O'Meara, *Broderick and Gwin* (San Francisco, 1881), p. 100.
43. Davis, *op. cit.*, p. 34.
44. Probably Hugh C. Murray, a Justice of the Supreme Court of California.
45. *Daily California Chronicle*, San Francisco, Sept. 15, 1854.
46. See San Francisco newspapers for December, 1855, and January, 1856, for popular reactions to the trial. See also T. H. Hittell, *History of California* (San Francisco, 1898), III, 474, 518. Cora was later hanged by the Vigilance Committee.
47. Davis, *op. cit.*, pp. 114-15.
48. *Sacramento Daily Union*, Jan. 26, 28, 1861.
49. *Journal of the Senate of the State of California* (Sacramento, 1861), 12th Sess., p. 242. The party affiliations have been taken from the *Sacramento Daily Union*, March 11, 1861.
50. *Journal of the Senate of the State of California*, 12th Sess., pp. 351-53.
51. *Sacramento Daily Union*, March 21, 1861.
52. *Journal of the Senate of the State of California*, 12th Sess., pp. 363, 513.
53. *Ibid.*, p. 519.
54. *Sacramento Daily Union*, April 3, 1861.
55. O. P. Fitzgerald, *California Sketches*, New Series (Nashville, Tenn., 1882), pp. 105-6.
56. *Journal of the Senate*, 37th Cong. 1st Sess., p. 35.
57. *Ibid.*, 37th Cong. 1st Sess., p. 47, 2d Sess., p. 31.
58. *Cong. Globe*, 37th Cong. 2d Sess. (Appendix), pp. 307-8.
59. *Ibid.*, p. 2840.

60. *Ibid.*, pp. 2581-87, 2608.
61. *Ibid.*, pp. 1373-74.
62. *Ibid.*, pp. 1662-69, 1738-42.
63. *Ibid.* (Appendix), pp. 86-87.
64. *Ibid.* (Appendix), pp. 60-68.
65. *Ibid.*, p. 2507. The vote was 37 to 2.
66. *Ibid.*, pp. 582-84.
67. *Ibid.*, p. 865.
68. *Sacramento Daily Union*, March 11, 1862.
69. *Ibid.*, May 15, 1862.
70. *Ibid.*, June 18, 1862.
71. *Cong. Globe*, 37th Cong. 2d Sess., p. 2275.
72. *Ibid.*, 37th Cong. 3d Sess., p. 371.
73. *Ibid.* (Appendix), pp. 94-100.
74. *Sacramento Daily Union*, Jan. 21, 1863. See also *Ibid.*, Feb. 4, 1863.
75. *Daily Alta California* (San Francisco), Dec. 9, 1863.
76. *Journal of the Senate of the State of California*, 15th Sess., pp. 14, 228, 288. The resolutions adopted did not request McDougall to resign. Such amendments were proposed, but were defeated.
77. *Sacramento Daily Union*, Jan. 30, 1864.
78. *Journal of the Senate of the State of California*, 15th Sess., pp. 228, 288; *The Statutes of California*, 15th Sess., p. 557.
79. "The Diary of Orville Hickman Browning," Vol. I, *Illinois Historical Collections* (Springfield, 1925), XX, 493.
80. *Sacramento Daily Union*, Dec. 9, 1863.
81. Letter to the *Bulletin*, appearing in *Sacramento Daily Union*, May 23, 1864, stated, "He [McDougall] has only been in the Senate a few times this Winter, then drunk, booted like a dragoon and spurred like a Spanish vaquero. He falls drunk from his horse on Pennsylvania Avenue. In a word, he is the first drunkard in Washington."
82. *Cong. Globe*, 37th Cong. 3d Sess., pp. 547-48.
83. *Ibid.*, 38th Cong. 1st Sess., p. 1490.
84. *New York Herald*, Sept. 4, 1867; *Daily Chronicle* (Washington), Sept. 4, 1867.
85. Letter from Cornelius Cole to Judge Burke, written Sept. 6, 1867, appearing in the *San Francisco Daily Evening Bulletin*, Oct. 1, 1897.
86. *Daily Alta California* (San Francisco), May 24, 1868.



FOUR EARLY SKETCHES OF MONTEREY SCENES

With an Explanation by Henry R. Wagner

PLATE I

SEPTEMBER 14, 1786, Jean François Galaup de la Pérouse arrived at Monterey with his two vessels, the *Astrolabe* and the *Boussole*. La Pérouse had visited the far northwest coast and was now on his way to China. The governor, Pedro Fages, had been expecting him and greeted him with cordiality. Shortly after his arrival, Father Fermin de Lasuen came from Mission San Carlos to the presidio in Monterey and invited La Pérouse to dine with him. Accompanied by the governor, La Pérouse and some of his officers went to the Mission, where they were received, as La Pérouse says, like lords of a manor visiting their estates for the first time. Before entering the church, the visitors crossed a plaza where Indians, both men and women, were ranged in line. A *Te Deum* of thanksgiving was chanted and the visitors examined the buildings. La Pérouse remained in Monterey but ten days, but while there observations were carried on, and the botanists and other scientific members of the party pursued their studies and made some sketches. Nothing is said by La Pérouse of the making of a picture of the reception at the Mission, but another visitor, Alejandro Malaspina, who was in Monterey in 1791, tells us that Duché de Vancy, an artist with La Pérouse, drew just such a picture and gave it to the fathers.¹

Some interesting notes about this sketch were collected by H. H. Bancroft.² According to these, it was kept in the Mission *locutorio* and was still there when Captain Beechey visited Monterey in 1826.³ When Captain Abel du Petit-Thouars came in October, 1837, it had disappeared. According to Mrs. James L. Ord, in her "Ocurrencias en California," written in 1875, Fray Rafael Moreno, soon after his arrival in 1833, gave the picture to her brother, Juan de la Guerra, then at the Carmel Mission, and he, during his final illness, gave it to her.⁴ She describes it as being about a foot in length, and says that in 1838 or 1839 it was stolen from her trunk and has never been recovered. The sketch which we reproduce herewith corresponds substantially to Mrs. Ord's description, and, although some of the details differ from those related by her, there can be little doubt that it is either the original or a copy of it.

Our picture is now in the Museo Naval, Madrid, and was reproduced in 1932 in a volume published by that institution entitled: *Repertorio de los MSS, cartas, planos y dibujos relativos a las Californias existentes en este*

Museo. We are therefore confronted with a problem: If the sketch was still in California in 1838 or 1839, how did it reach the Museo Naval, or its predecessor institution, the Depósito Hydrográfico? California by that time no longer belonged to Spain. The most plausible suggestion would be that some Spanish Franciscan had taken it back to Spain with him. However, even if he could have obtained possession of it from Mrs. Ord, or she had been mistaken about Fray Moreno's having given it to her brother, we should certainly not expect to see it in the Museo Naval. Some other solution of the problem must be sought, and the following seems to be the most plausible.

Written across the bottom of the reproduction is a line in Spanish in which the name of La Pérouse is spelled "Pei Rus," a thing which no Frenchman would ever have done. It is probable, therefore, that we are looking at a copy of the original made by a Spaniard; and the Spanish artist most likely to have made it was Tomás de Suría,⁵ who accompanied Malaspina in 1791. Malaspina arrived in Monterey with his two vessels, the *Descubierta* and the *Atrevida*, September 13, 1791, and remained until the 25th. It has already been stated that he first called attention to the picture at the Mission. He said the sketch was very skilfully drawn, and it obviously excited his interest. It would have been a simple matter for Suría to have copied it, and thus we can account for the fact that it is at present in the Museo Naval, where so many of Suría's sketches are to be found.

José Cordero, an artist with Galiano and Valdés in the exploration of the Strait of Juan de Fuca, was also in Monterey from September 23 to October 26, 1792, and the copy might have been made by him, as his sketches are also to be found in the Museo Naval, Madrid; yet no mention of the sketch at the Mission is found in either the joint letter of Galiano and Valdés, translated in *Spanish Explorations in the Strait of Juan de Fuca*,⁶ or in the account of the voyage published in 1802,⁷ nor can we be certain that Cordero made any sketch in Monterey.

PLATE II

Attributed to Brambila as of 1794, in the *Repertorio* of the Museo Naval, Madrid, but as Brambila was never in Monterey, this is a mistake. It is probably one of Suría's sketches, and the two vessels shown, those of Malaspina.

PLATE III

The fine drawing, "Indio de Monterey," is properly attributed to Suría in the *Repertorio*. The inscription is in his handwriting.

PLATE IV

In the *Repertorio* this sketch is attributed to Cardero, that is, José Cordero, who, as has already been stated, was also in Monterey in 1792. The woman depicted is not an Indian, but a *mestiza*, or possibly a Spaniard. The two



VIEW OF THE PRESIDIO AT MONTEREY



Indio de Monterey

INDIAN OF MONTEREY



INDIAN WOMAN OF MONTEREY

Indians in the background bear some resemblance to the Indian in Plate III, drawn by Suría, and it is therefore impossible to be certain about the authorship. It may be said, however, that the original is in the same collection as the sketches of Suría.

NOTES

1. "De Vancij had left a little sketch of much skill representing the reception given to de la Pérouse and Langle and many of their officers at the mission." From Malaspina's *Viaje alrededor del Mundo*, as translated by Mrs. Edith C. Galbraith in this *Quarterly*, Vol. III, October, 1934, p. 224.

2. Bancroft, Hubert Howe, *History of California*, Vol. I, p. 432.

3. "In the church is a drawing of the reception of La Pérouse at the mission, executed on board the *Astrolabe*, by one of the officers of his squadron. I much wished to possess this valuable relic, with which however the padre [Ramon Abella] was unwilling to part." Beechey, F. W., *Narrative of a Voyage to the Pacific*, Philadelphia, 1832, p. 343.

4. The records show that Juan de la Guerra was buried in the Carmel Mission cemetery, September 6, 1833.

5. Tomás de Suría left a journal, which unfortunately includes nothing after the expedition reached Nootka, the last leaves of the manuscript having been lost or destroyed. The portion that is still extant has been translated by Mr. Wagner, and, together with eight cuts made from Suría's original sketches drawn in Yakutat Bay, Alaska, and a brief biographical sketch, is published in the *Pacific Historical Review* for September, 1936.—Ed.

6. "Extract of the diary of the campaign executed by the schooners *Sutil* and *Mexicana* under the command of Commanders Don Dionisio Galiano and Don Cayetano Valdés in the Estrecho or Canal de Juan de Fuca in the year 1792," in Wagner, Henry R., *Spanish Explorations in the Strait of Juan de Fuca*, Santa Ana, 1933, pp. 210-27.

7. *Relacion del viage hecho por las goletas Sutil y Mexicana en el año de 1792*, Madrid, 1802.

ACKNOWLEDGMENT

The Publication Committee desires to call to the attention of the members of the Society that the four cuts illustrating Mr. Wagner's article were furnished by him and to thank him for his generous gift.

A VISIT TO MONTEREY IN 1786

*And a Description of the Indians of California**

By JEAN FRANÇOIS GALAUP DE LA PÉROUSE

WE ANCHORED on the 14th of September in the evening, two leagues from the shore, in sight of the presidio, and of two vessels which were in the road. They had fired guns every quarter of an hour to direct us to the anchorage, which they conceived might be concealed from us by the fog. At ten in the evening, the captain of the corvette *La Favorita* came on board in his long-boat, and offered to pilot our vessels into the port. The corvette *La Princesa* had likewise sent a pilot on board the *Astrolabe*. We learned that these two vessels were Spaniards, commanded by Don Estevan Martinez, lieutenant of a frigate in the department of St. Blas, in the province of Guadalupe. The government maintains a small marine force in this port, subject to the orders of the viceroy of Mexico. It consists of four corvettes of twelve guns, and a schooner, the particular destination of which is the supply of the presidios of northern California with provisions. These are the same vessels which made the two last expeditions of the Spaniards on the northwest coast of America; and they are sometimes sent as packet-boats to Manilla, for the more speedy transmission of the orders of the court.

At ten in the morning we weighed and anchored in the road at noon. We were saluted with seven guns, which we returned, and I sent an officer to the governor with the letter of the Spanish minister, which had been forwarded to me in France before my departure. It was not sealed, and was addressed to the viceroy of Mexico, whose authority extends to Monterey, though at the distance of eleven hundred leagues by land from the capital.

Mr. [Pedro] Fages, commandant of the fort of the two Californias, had already received orders to afford us the same reception as to the vessels of his own nation; and he executed these orders with a degree of earnestness and benevolence which deserve our warmest acknowledgments. He did not confine himself to mere verbal politeness. Cattle, garden-stuff, and milk, were sent on board in abundance. The desire of serving us seemed even to disturb

*In view of the reproduction of the sketch of La Pérouse's reception at Monterey and the publication of the article by Mr. Henry R. Wagner in this number of the *Quarterly*, it has been thought appropriate to include pp. 444-54 of the English translation of La Pérouse, entitled, *A Voyage Round the World, Performed in the Years 1785, 1786, 1787, and 1788, by the Boussole and Astrolabe, under the Command of J. F. G. de la Pérouse*, London, 1799. Mr. Wagner has recently presented to the Society the four volumes and atlas of the French edition published in Paris in 1797.

the harmony between the commander of the two vessels and chief of the fort. Each was desirous exclusively of providing for our wants; and when the account was to be discharged we were obliged to insist on their receiving our money. The garden-stuff, milk, poultry, and the assistance of the garrison in wooding and watering, were afforded gratis; and the cattle, sheep, and corn were charged at so low a price, that it was evident an account had been presented to us merely because we had insisted upon it.

To these generous proceedings of Mr. Fages the utmost politeness was added. His house was our home, and all his people were at our disposal.

The fathers of the Mission of San Carlos, at the distance of two leagues from Monterey, soon arrived at the presidio. No less obliging than the officers of the two vessels and the fort, they invited us to dine with them, and promised to inform us minutely concerning the government of their missions, the manner of living of the Indians, their arts, their newly-acquired habits, and in general every thing that could interest the curiosity of travellers. We eagerly accepted this invitation, which we should not have failed to solicit if we had not thus been anticipated. It was agreed that we should set out the day after the morrow. Mr. Fages was desirous of accompanying us, and undertook to procure us horses. After crossing a small plain, covered with herds of cattle, and in which there were a few trees only, which were necessary to shelter these animals against the rain and the sun, we ascended the hills, from whence we heard the sound of bells, announcing our arrival, of which the missionaries had been previously informed by a horseman from the governor. We were received like the lords of manors when they first take possession of their estates. The president of the missions, in his ceremonial habiliments and with his holy-water sprinkle in his hand, awaited us at the gate of the church, which was illuminated in the same manner as on the greatest festivals. He conducted us to the foot of the high altar, where he chaunted the *Te Deum* in thanksgiving for the happy success of our voyage.

Before we entered the church, we had passed through a square in which the Indians of both sexes were ranged in a line. They exhibited no marks of surprise in their countenance, and left us in doubt whether we should be the subject of their conversation for the rest of the day. The church is neat though patched with straw. It is dedicated to St. Charles, and adorned with some tolerable pictures, copied from originals in Italy. Among the number is a picture of hell, in which the painter appears to have borrowed from the imagination of Callot; but as it is absolutely necessary to strike the senses of these new converts with the most lively impressions, I am persuaded that such a representation was never more useful in any country; and that it would be impossible for the protestant worship, which proscribes images, and almost all the ceremonies of our church, to make any progress with this people. I doubt whether the picture of paradise, which is opposite to that of hell, produces so good an effect upon them. The state of tranquillity which it

represents, and that mild satisfaction of the elect who surround the throne of the supreme being, are ideas too sublime for the minds of uncultivated savages: but it was necessary to place rewards by the side of punishment, and it was a point of duty that no change should be permitted in the kind of enjoyments which the Catholic religion promises to man.

On coming out of the church we passed through the same row of Indians, whom the *Te Deum* had not induced to abandon their post. The children only had removed to a small distance, and formed groups near the house of the missionaries, which, as well as the different store-houses, is opposite the church. The Indian village stands on the right, consisting of about fifty huts, which serve for seven hundred and forty persons of both sexes, including their children, who compose the Mission of San Carlos, or of Monterey.

These huts are the most wretched that are any where to be met with. They are round, and about six feet in diameter and four in height. Some stakes of the thickness of a man's arm, stuck in the ground and meeting at the top, compose the framing. Eight or ten bundles of straw, ill-arranged over these stakes, are the only defence against the rain; and when the weather is fine, more than half the hut remains uncovered, with the precaution, however, of two or three trusses of straw to each habitation, to be used as circumstances may require.

This general architecture of the two Californias has never undergone the smallest change, notwithstanding the exhortations of the missionaries. The Indians say that they love the open air, that it is convenient to set fire to their house when the fleas become troublesome, and that they can build another in less than two hours. The independent tribes, who, as hunters, so frequently change their residence, have of course an additional motive.

The colour of these Indians, which is that of negroes; the house of the missionaries; their store-houses, which are built of brick, and plastered; the appearance of the ground on which the grain is trodden out; the cattle; the horses; every thing, in short, brought to our recollections a plantation at St. Domingo or any other West-India island. The proselytes are collected by the sound of a bell; a missionary leads them to work, to the church, and to all their exercises. We observed with concern that the resemblance is so perfect that we have seen both men and women in irons, and others in the stocks*; and, lastly, the noise of the whip might have struck our ears, this punishment also being admitted, though exercised with little severity.

The monks, by their answers to our different questions, left us ignorant of no part of the government of this religious community; for no other name can be given to the legislation they have established. They are the temporal as well as the spiritual governors, the products of the earth being entrusted to their care. The day consists in general of seven hours labour, and two hours

**Au bloc*. The author has given a description of this implement in a note, which we do not copy, because it is precisely designated by the English word in the text.

prayer; but there are four or five hours prayer on Sundays and festivals, which are entirely consecrated to rest and divine worship.

Corporal punishment is inflicted on the Indians of both sexes who neglect the exercises of piety, and many sins, which are left in Europe to the divine justice, are here punished by irons and the stocks. And lastly, to complete the similitude between this and other religious communities, it must be observed, that the moment an Indian is baptised, the effect is the same as if he had pronounced a vow for life. If he escape, to reside with his relations in the independent villages, he is summoned three times to return, and if he refuse, the missionaries apply to the governor, who sends soldiers to seize him in the midst of his family*, and conduct him to the mission, where he is condemned to receive a certain number of lashes with the whip.

These people have so little courage, that they never make any resistance to the three or four soldiers who so evidently violate the rights of men in their persons; and this custom, against which reason so strongly exclaims, is kept up, because theologians have decided, that they could not in conscience administer baptism to men so inconstant, unless the government would in some measure serve as their sponsor, and answer for their perseverance.

The predecessor of Mr. Fages, Mr. Philip Deneve [Felipe de Neve], commander of the interior provinces of Mexico, who died about four years ago, a man replete with humanity, and a Christian philosopher, remonstrated against the practice. He thought that the progress of the faith would be more rapid, and the prayers of the Indians more agreeable to the supreme being, if they were not constrained. He was desirous of a constitution less monastic, affording more civil liberty to the Indians and less despotism in the executive power of the presidios, the government of which might be entrusted to cruel and avaricious men. He thought likewise, that it might perhaps be necessary to moderate their authority by the appointment of a magistrate, who might be the tribune, as it were, of the Indians, and possess sufficient authority to defend them from vexations. This upright man had borne arms in favour of his country from his infancy; but he was exempt from the prejudices of his professions, and well knew, that military government is subject to great inconveniences when moderated by no intermediate power. He might, however, have experienced the difficulty of maintaining the conflict of three authorities, in a country so remote from the governor-general of Mexico, since the missionaries, though so pious and respectable, are already at open variance with the governor, who, on his part, appears to me to be a worthy military character.

We were desirous of being present at the distributions made at each meal; and as all the days, with this kind of religious community, were exactly alike,

*As these people are at war with their neighbours, they can never escape to a greater distance than twenty or thirty leagues.

by the recital of the proceedings of one, the reader will be acquainted with the history of the whole year.

The Indians, as well as the missionaries, rise with the sun, and immediately go to prayers and mass, which last for an hour. During this time three large boilers are set on the fire for cooking a kind of soup, made of barley meal, the grain of which has been roasted previous to its being ground. This sort of food, of which the Indians are extremely fond, is called *atole*. They eat it without either butter or salt, and it would certainly to us be a most insipid mess.

Each hut sends for the allowance of all its inhabitants in a vessel made of the bark of a tree. There is neither confusion nor disorder in the distribution; and when the boilers are nearly emptied, the thicker portion at the bottom is distributed to those children who have said their catechism the best.

The time of repast is three quarters of an hour; after which they all go to work, some to till the ground with oxen, some to dig in the garden, while others are employed in domestic occupations, and all under the eye of one or two missionaries.

The women have no other employment than their household affairs, the care of their children, and the roasting and grinding of the corn. This last operation is both tedious and laborious, because they have no other method of breaking the grain than with a roller upon a stone. Mr. de Langle, who saw this operation, made a present of his mill to the missionaries; and it was difficult to have rendered them a greater service, since four women will now do the work of a hundred; and they will have time to spin the wool of their sheep, and manufacture some coarse cloths. But the missionaries have hitherto been more attentive to their heavenly than their earthly concerns, and have greatly neglected the introduction of the most common arts. They are so austere as to their own comforts, that they have no fire-place in their chambers, though the winter is sometimes severe: the greatest anchorites have never lived a more edifying life.*

At noon the bells give notice of the time of dinner. The Indians then quit their work, and send for their allowance in the same vessel as at breakfast. But this second soup is thicker than the former, and contains a mixture of wheat and maize, and peas and beans: the Indians call it *poussole*. They return to work from two to four or five o'clock, when they repair to evening prayer, which continues nearly an hour, and is followed by a distribution of *atole*, the same as at breakfast. These three distributions are sufficient for the subsistence of the greater number of these Indians, and we might perhaps adopt this economical food in years of scarcity, with the addition of some seasoning. The whole art of this cookery consists in roasting the grain before

*Father Firmin de la Suen [Lasuen], president of the missions of New California, is one of the most worthy and respectable men I have ever met with. His mildness, charity, and affection for the Indians, are beyond expression.

it is reduced to meal. As the Indians have no earthen or metallic vessels for this operation, they perform it in baskets of bark, over a gentle charcoal fire. They turn these vessels with such address and rapidity, that they succeed in causing the grain to swell and burst without burning the basket, though made of so combustible a material; and we can affirm, that our best coffee is far from being roasted with equal skill. It is distributed to them every morning, and the slightest embezzlement is punished by the whip; though it seldom happens that they expose themselves to the danger. These punishments are adjudged by Indian magistrates, called *caciques*. There are three in each mission, chosen by the people from among those whom the missionaries have not excluded: to give, however, a proper notion of this magistracy, we must observe that these *caciques* are like the overseers of a plantation, passive beings, blind performers of the will of their superiors; and that their principal functions consist in serving as beadles in the church, to maintain order and the appearance of attention. Women are never whipped in public, but in an inclosed and somewhat distant place, that their cries may not excite a too lively compassion, which might cause the men to revolt. The latter, on the contrary, are exposed to the view of all their fellow citizens, that their punishment may serve as an example. They usually ask pardon for their fault, in which case the executioner diminishes the force of his lashes, but the number is always irrevocable.

The rewards are small distributions of grain, of which they make little thin cakes, and bake them on the hot wood ashes. On high festivals an allowance of beef is distributed, which many eat raw, particularly the fat, which is considered by them as equally delicious with the finest butter or the most excellent cheese. They skin all animals with the greatest dexterity; and when they are fat they make, like the ravens, a croaking of pleasure, devouring with their eyes those parts for which they have the greatest avidity.

They are often permitted to hunt and fish for their own benefit; and upon their return they generally make a present to the missionaries of a part of their sport; but they proportion the quantity to what is strictly necessary for their consumption, taking care however to increase it, when they know that their superiors have any visitors or guests. The women raise some poultry about their huts, the eggs of which they give to their children. These fowls are the property of the Indians, as well as their clothes and other small articles of furniture and implements of hunting. There is no example of theft among them, though the door of their hut consists merely of a bundle of straw, which they place across the entrance when the inhabitants are absent.

These manners may appear patriarchal to some of our readers, who may not reflect, that in these huts there is no article which can excite the avarice of a neighbouring hut. The food of the Indians is secured to them, and they have therefore no other want than that of giving life to beings, who are sure to be as stupid as themselves.

The men in these missions have made greater sacrifices to Christianity than the women, because, before its introduction, they were accustomed to polygamy, and were even in the habit of espousing all the sisters of the same family. The women, on the contrary, have acquired the right of receiving exclusively the caresses of a single man. I must confess, however, notwithstanding the unanimous report of the missionaries concerning this pretended polygamy, that I am at a loss to conceive how it could have been established in a nation of savages; for the number of men being nearly equal to that of the women, the consequence must have been a forced continence in many individuals, unless conjugal fidelity were less rigorously observed than in the missions, where the holy fathers have constituted themselves guardians of the virtue of the sex. An hour after supper, they take care to secure all the women whose husbands are absent, as well as the young girls above the age of nine years, by locking them up; and during the day they entrust them to the care of elderly women. All these precautions are still inadequate, and we have seen men in the stocks, and women in irons, for having eluded the vigilance of these female Arguses, whose eyes are not sufficient for the complete performance of their office.

The converted Indians have preserved all the ancient customs which their new religion does not prohibit: they have the same huts, the same diversions, and the same clothes. The cloathing of the richest consists in a garment of otter's skin, which descends from the waist somewhat lower than the groin. The most indolent have simply a piece of cloth, which the mission supplies, to cover the nudities, and a small cloak of rabbit skin, tied under the chin, which covers their shoulders, and descends to their waist. The rest of their body is absolutely naked, as well as their head. Some of them, however, have straw hats, which are neatly made.

The cloathing of the women is a mantle of deer skin badly tanned. Those of the missions have generally a small corset with sleeves, which, with a small apron of rushes, and a petticoat of deer skin descending to the middle of the leg, is the whole of their dress. Young girls more than nine years of age have simply a cloth around their waist, and the children of both sexes are entirely naked.

The hair both of men and women is cut to the length of about four or five inches. The Indians of the *rancheries**, having no instruments of iron, perform this operation with lighted fire-brands. They are likewise in the habit of painting their bodies red, in general, and when they are in mourning, in black. The missionaries have forbidden the first of these paintings; but they are obliged to tolerate the other, because these people are so strongly attached to their friends. When they are called to their remembrance they shed tears, though they may have lost them for a considerable period; and if their name

*Name of the independent Indian villages.

be mentioned by any one, even through inadvertence, they consider it as an offence. The bonds of relationship have less force with them than those of friendship. Children take scarcely any notice of their father. They abandon his hut as soon as they are capable of providing for their subsistence; but they preserve a longer attachment for their mother, who has brought them up with extreme mildness, and has never beaten them, unless when they have shown cowardice in their combats with children of the same age.

NEW MEMBERS

NAME	ADDRESS	PROPOSED BY
Black, J. B.	San Francisco	Mr. Allen L. Chickering
Clark, Warner	San Francisco	Mr. James D. Stewart
Crotty, Homer D.	Los Angeles	Miss Dorothy Huggins
Glendale Public Library	Glendale	Miss Dorothy Huggins
Gudde, Erwin G.	Berkeley	Miss Dorothy Huggins
Hart, Mrs. Jerome A.	San Francisco	Mr. Joseph D. Grant
Meade, Mrs. Agnes Weber	Marysville	Miss Dorothy Huggins
Schaefer, Glenn A.	Pasadena	Mr. Ernest Dawson
Simon, Richard O.	San Francisco	Mr. Edgar Kahn
Sutter County Free Library	Yuba City	Mrs. Charles L. White
Walter, Mrs. John I.	San Francisco	Miss Dorothy Huggins
Woods, Robert J.	Los Angeles	Mr. Ernest Dawson

THE JOURNAL OF A "CRAZY MAN"

*Travels and Scenes in California from the Year 1834
to the American Conquest*

The Narrative of Albert Ferdinand Morris

Edited by CHARLES L. CAMP

IV

THE SPANIARDS MATURE PLANS TO MASSACRE THE FOREIGNERS THAT REMAINED IN THE COUNTRY AFTER WE WERE SENT OUT OF IT

THE GOVERNOR [Juan B. Alvarado] having weakened the foreigners by sending a portion of them out of the country [in 1840], and being so elated with his villainous success, he thought himself like all barbarian chiefs, the most puissant monarch on earth, and that a favorable opportunity presented itself for him to exterminate the whole of the foreigners remaining in the country, but as he dared not to engage them openly and like a brave man give them a chance for their lives, he resorted to the basest and blackest of measures. A feast was to be given in different parts of the country to which the foreigners were to be invited, and in the midst of the entertainment, when all was mirth and hilarity, when nothing was banished so far from the foreigners' minds as danger and bloodshed, on a sudden the Mission bells were to toll as a signal for an immediate attack and indiscriminate slaughter of all the foreigners. But the foreigners in Santa Cruz and Pueblo de San Jose by some means got wind of their intentions, and armed themselves and prepared in the best manner they could for the short space of time allowed them, to make a desperate resistance. The foreigners of Santa Cruz assembled at the house of Joseph L. Majors at San Augustin [Agustin].¹ This man had been a prisoner before in Monterey, and his house and premises had been plundered while he was in confinement. He now converted his adobe house into a fortress by piercing the walls with a crowbar so that they could point and fire their rifles through these holes in case of the every moment expected attack. Strong oak bars were prepared to barricade the doors at a moments warning, and a sentry placed at proper points to give the alarm if the enemy should approach.

The foreigners in and about the Pueblo de San Jose assembled at the pulgas redwoods² and subjected themselves to the command of Mr. [John] Coppinger of whom I have already spoken, and Captain John Burton, for-

merly a quarter-master in the United States Navy, a brave and a most excellent old man, and respected and loved by all who knew him. The Spaniards seeing their intentions were discovered and that the foreigners were prepared to resist them, dared not make the attack but sent spies to examine the situation of the foreigners. Capt. Antonio Buelna being sent as a spy to the pulgas redwoods, was met by Mr. Coppinger and Mr. Burton, who told them [him] that they knew that the Governor intended to butcher all the foreigners if he could, and that he was sent as a spy, [and] that he might rest assured that the first foreigner that was injured that they [the foreigners] would fire upon them [the Spanish Californians] as long as there was a man to present a rifle, and ordered him to leave immediately. He attempted to lull their suspicions by flattery, and said that they were alarmed without any grounds for being so, but he, seeing that they were very determined and again admonished him to retire, (he) no doubt reflected on the old adage, "beware of the third time." Such were the beneficent feelings of this most Catholic and Christian Governor towards the men who had raised and sustained him in his present elevated station in life, and was indebted to a foreigner for his education. It is difficult to say how this affair would have ended had not the United States sloop of war, *San Luis*, arrived in the harbor of Monterey [June 13, 1840], which so terrified the redoubtable Governor that he deserted his post and fled into the interior of the country as I have before mentioned. I will here mention that before leaving Tepic, we were all not a little surprised one day to see Capt. [J. B. R.] Cooper and Mr. Larkin from Monterey. They had come into San Blas with a vessel, but were bound for Acapulco, as I afterwards learned from Capt. Cooper, while in conversation upon the beach in front of Mr. Davis's house at San Francisco. He said their object was to go from Acapulco to Mexico and smuggle off Jose Castro, but they found him so closely guarded by order of the British Minister, that they did not succeed. Now I shall take Capt. Cooper at his word and presume that he spoke the truth. This does not argue much in support of Larkin's publication in justification of his conduct towards the prisoners. Besides I am informed by Mr. Majors, who was a prisoner in Monterey, that after his release (that) Mr. Larkin boasted to him that the provisions that he furnished for the prisoners cost him but three reals per man, and that he made six reals profit per head, (a real is 12½ cents in the City of Mexico).

V

THE PRISONERS RETURN TO CALIFORNIA ANOTHER CONSPIRACY BY THE AUTHORITIES TO DESTROY THEM

AT LENGTH we sailed from San Blas for California [in July, 1841] in the schooner [*Bolina*] provided by the Government to convey us back. After a

passage of more than forty days we came safe to anchor in the harbor of Monterey much to the dissatisfaction of our enemies, who supposing that J. Castro had arrived, were assembled on the beach to welcome him back to California, but they were doomed to hear the sad tidings that he was still in the City of Mexico.

A day or two after our arrival Capt. [William D.] Phelps of the ship *Alert* gave me a passage in his ship to San Francisco, and from thence he proceeded in his boat up the Sacramento River to where Sacramento City now stands, which at that time was the landing place for Sutter's Fort. Capt. Phelps took the sounding of the river as we advanced. On arriving at the landing he hoisted the American Flag, and for the first time the proud banners of the United States floated in the breeze of the great Sacramento valley.¹

Capt. Sutter established himself at this place in the year thirty-seven [1839]. First having obtained a grant from the Mexican Government of eleven leagues of land on condition that he should within a specified time settle it with Swiss emigrants. At that time the vast region of the Sacramento and San Joaquin valleys were inhabited by wild savages, and the Spaniards did not dare to penetrate beyond the river San Joaquin, nor did they dare go to Sutter's until three or four years after its establishment [?]. Capt. Sutter's settlement would have vanished like a meteor had our hardy and daring countrymen not gone to his assistance. With their rifles they supplied Capt. Sutter and near two hundred Indians with flesh of deer, elk, and bear, while they made the adobes and erected the fort, and in fact subdued all the hostile Indians, and made that vast region habitable for civilized men.

Capt. Sutter was rather a vain man, fond of pomp and parade. So soon as the Indians were completely humbled and there was no longer any danger to be apprehended from them, he armed and equipped a company of them for soldiers to guard and to do duty in the fort. Nothing could exceed his vanity as he would sally forth on horseback with a guard of them, he was so elated that he could not contain himself, and he would burst out, "Dis does remind me so of my own country, dis does remind me of old times." So glowing had his imagination become that he imagined that he commanded that wealth and the credit of the world, and he would as soon give a man five dollars a day as one. Now the fact is, had he availed himself of the resources that the country afforded, and instead of spending his time in parading a parcel of savages beating drums and firing old rusty cannons, had he established a salmon fishery and taken proper care of the skins of all the wild animals the hunters and Indians brought him in, also all tallow that these animals afforded, of which I have seen cartloads set fire to in the hunters' camp and burned up because there was no one that would take the trouble to take care of it, though it was worth six cents a pound, merely after it was tried out [he would have been eminently successful]. Had it

[the tallow] been made into soap it would have brought fifty cents per pound. Now all that was wanted was a man to superintend the soap making and keep the Indians at work, as there were thousands of them and their labor cost only what he chose to give them. He had at one time four thousand head of cattle and many horses. Now a preserving [persevering], frugal man with such resources at his command in one of the most fertile plains in the world, with a noble river navigable more than a hundred miles flowing past his premises, would have amassed a princely fortune, while his only went from bad to worse until he rid himself of all that he possessed. Instead of tending to business his time was taken up in military parade. This establishment he dignified with the religious name of nunnery [?].

I remained there but a few days, when I left with a party of hunters. During my stay in these regions the government had again matured plans for the destruction of the foreigners in the vicinity of Santa Cruz. They had assembled as was their custom at the Mission for amusement. Mr. Graham was running horse races with some of the people of the country, when Pedro Rial [Padre Antonio Suarez del Real], the priest of the Mission, took Mr. Majors who was married to a Spanish woman [Maria de Los Angeles Castro], into his room and privately told him the foreigners were soon to be massacred on a certain day, and for him and his family to come to the Mission, and he would save him and his family. Mr. Majors immediately informed his countrymen of what he had heard and the danger they were all in, when they all immediately left the Mission. Part of them went with Mr. Majors and his house was again converted into a fortification.² A part also went with Mr. Graham whose house was a little more than a mile distant from Mr. Majors' through the thick woods. Mr. Graham and his party took a position in the timber near the crossing of a brook not far from his house [at Zayante], and there they remained under arms for two weeks. But Heaven had decided that we were not to fall by the hands of these barbarians, for in a few days [October, 1842] Commodore [Thomas Ap Catesby] Jones came to Monterey and took possession of the country.³ Thus all their plans to destroy us were for a time frustrated, and nothing could exceed the joy of the foreigners on hearing that the country was taken by the United States forces, and they flocked to Monterey from all quarters to congratulate their countrymen for the timely arrival, and once more to stand under the banners of liberty and freedom; but their highest hopes and bright anticipations of the future were all blasted. On the third day after the country had been taken, the Commodore became convinced that no war existed between the United States and Mexico, and immediately delivered up the country. Our countrymen were now as much depressed in spirits as they had before been elevated, well knowing that the ignorant Spaniards would convert this false manoeuvre of the United States Commodore into fear and dread of the power of Mexico, and that they were now if possible in a more

critical situation than ever; but there was now no remedy but to make the best of it, come what would.

Through the request of the foreigners, Mr. Majors made a statement of all that had passed in regard of the determination of the authorities of California to destroy the foreigners, to Commodore Jones of the United States Navy. This was all that could be done under the existing circumstances. Shortly after the Commodore's departure, the Mexican Government appointed [Manuel] Micheltorena as Governor of California. He brought with him five hundred soldiers, the most dissolute and debased set of villains that ever disgraced the name of humanity. The Californians were highly incensed at this military force and sent a deputation to the Governor who informed him that the people of California had no objections to his ruling them as their Governor, but they had many and grave objections to his troops, and that he must at a time stated send them all back to Mexico. The Governor refused to accede to these terms and the Californians resorted to the force of arms to compel him to comply with their desires. The Californians assembled at Pueblo de San Jose under Jose Castro, who had returned from Mexico, and the ex-Governor Alvarado. They had again the audacity to call on the foreigners, and I am sorry to say that they found a small number sufficiently base and servile to respond to their call. Those under Lieutenant Coppinger joined Castro and Alvarado at the Pueblo. In the meantime the Governor advanced from Monterey with two pieces of artillery and all his disposable force, to quell the insurgents. Having arrived within twenty-five miles of the pueblo, and as a heavy storm was coming on, he filed out of the road and took a position in the woods among some low hills.⁴ The Californians having watched all his movements, took advantage of the storm and the darkness of the night, and surrounded him, and at daylight in the morning summoned him to surrender. Finding that resistance would avail him nothing he was willing to come to terms, which were finally acceded to on both sides. The conditions were that he should remain Governor of California provided that he should within a certain time send all of his troops out of the country. All things being settled the Californians and foreigners dispersed and went to their homes, and the Governor returned to Monterey. There is no doubt but that the Governor would have kept his treaty with the Californians had he not been persuaded not to do so by some of the foreigners, who could never learn what was for their interest from the severest experience, and Capt. Sutter offered him his services at the head of several hundred dirty savages, who had been the natural enemies of the Californians ever since the first settlement of the country. Besides Capt. Sutter had received all his cattle and horses and many other supplies from the Californians and was under many obligations to them, and had more to expect from them than from the Mexican Government; however, he was a Mexican Commandant and could with impunity take sides with whichever party he chose.

The Governor relying upon the assistance of Capt. Sutter and other foreigners, broke his treaty with the Californians, who immediately assembled under their old leaders, Jose Castro and Alvarado. Capt. Sutter immediately advanced with his savages to the support of the Governor and the foreigners in considerable force under Capt. [John] Gant[t], formerly an officer in the United States Army, also advanced to the support of the Governor. Castro and Alvarado commenced a retreat down the country and the Governor with his forces pursued them. The Governor's advance guard consisted of seventeen or eighteen foreigners among whom was Mr. [William] Knight who had formerly been a drum major in the American Army.⁵ He did not like the disorderly manner in which they every day advanced, and admonished them by telling them that it was of the utmost importance that they should maintain order, otherwise they might be suddenly attacked and completely annihilated before they could form in a proper position to repel the attack. They paid no attention to this wholesome and prudent advice, but rode on helter skelter, each one his own commander, and in his own estimation a host in himself, when on a sudden they found themselves but a few rods from Castro's camp, and surrounded by some four or five hundred men, and they were ordered to throw down their arms, but they declared that they would not surrender until they had an interview with Jose Castro and Alvarado. Accordingly Castro and Alvarado came to see them. Alvarado, as I before stated, was educated by a foreigner and could speak English, and acted as interpreter for the foreigners.⁶ Castro, addressing them, said, "Why do you rise in arms against me?" Without waiting for a reply, he said, "I need not have asked the question; it is because you were sent out of the country." "But," said he "you may thank your own countrymen for that, as I have it in black and white." That is he had it in writing. He did not say who these foreigners were, but it requires no Daniel to point them out.⁷ I presume that they were not made prisoners or sent out of the country.

Castro and Alvarado on this occasion behaved very honorably, but no doubt it was owing to the wholesome drilling they received from the British Consul at Tepic, and the United States sloop of war San Louis. The advance guard was allowed to return to their homes on their parole of honor. Castro retired down the country as far as Couenga [Cahuenga], he being joined by the foreigners in the lower part of the country, and made dispositions to give battle. Here an interview between the foreigners took place. Those of the lower country declared that they would fight to the last rather than again to put up with the insults and outrageous conduct of Micheltorena's soldiers. The foreigners from the upper country under Capt. Gant[t] not wishing to fight against their countrymen, withdrew from Micheltorena. I shall make no comments on this act any further than to say that the foreigners had no right to interfere in their intestine divisions at all.

The Governor having approached within range of Castro's cannon, which

were longer than those of his adversary, he opened fire and soon dismounted one of his enemy's field pieces. They did not come within musket range, so the contest was decided with artillery in which the Californians had the advantage; their guns being long they were able to do execution and at the same time keep out of range of their antagonists' guns which were fired. The action was neither long nor bloody, the Governor soon surrendered, Capt. Sutter and his savages were all taken prisoners, and a fine brass piece belonging to the flying artillery was also taken from them. And I am sorry to say that Captain Graham, who had so recently been released from their clutches, had joined the Governor's forces and was now a prisoner and in the power of his old enemies, Castro and Alvarado, who having tantalized him to their satisfaction, Castro went to him and embracing him told him that he was his friend and set him at liberty. Capt. Sutter and his savages were also permitted to return home, but without their arms and artillery, and Micheltorena was sent to Mexico with his troops from whence he came.

Things did not long remain quiet. Very soon rumors were flying through the country like wildfire that another scheme was on foot to rid the country of the foreigners. At length a letter was intercepted, said to be written by Castro; this letter cleared up all doubts with regard to the foreigners. The letter was taken to Sutter's fort and there translated. It contained instructions to General Vallejo to assemble all his forces and to be ready to advance against the foreigners in the neighborhood of Sutter's fort, also to send emissaries among the Indians and incense them to burn up the foreigners' crops, when the foreigners were to be disarmed and driven back across the Rocky Mountains. Such was affirmed to be the contents of the letter.⁸

The foreigners immediately assembled, and took possession of Capt. Sutter's fort, and made him a prisoner of war. A small party taking advantage of a dark night, surprised General Vallejo at Sonoma [on June 14, 1846], took him and Jacob P. Leese prisoners and sent them to Sutter's fort for safe-keeping. Thus the place with several pieces of artillery fell into their hands. In the meantime, J. Castro was assembling his forces in the Mission of Santa Cruz [Santa Clara], and as soon as he was able he dispatched Joaquin Tores [de la Torre] with upwards of a hundred men⁹ to the north-western side of the bay to dislodge the foreigners in Sonoma. They being apprised of his landing, Capt. [Henry L.] Ford advanced from Sonoma at the head of eighteen men to give him battle. On ascending to the summit of a low hill, he beheld Tores and his forces at a short distance below him. Their forces being so superior in number, Capt. Ford ordered his men to take position in a copse of timber not far distant. The Spaniards did their utmost to cut him off, but failed. Capt. Ford having gained his position, ordered his men to dismount, and opening a well directed fire on the enemy, he soon put them to flight with a loss of several of their number.

Tores immediately recrossed the bay and joined J. Castro at Santa Clara, and the foreigners were fast assembling to assist their countrymen under the bear flag. Their flag was a grisly bear painted on a piece of domestic cloth of proper dimensions, with one star in it, and a most brilliant one it was.¹⁰ Such was the state of affairs when the American Commodore hoisted the proud banners of his country upon the shores of California amidst the sublimest of all earthly sounds, martial music and the thunder of artillery.¹¹

VI

[THE CHARACTER OF THE SPANISH CALIFORNIANS]

THERE IS NO animal so hard to describe as a Spaniard, he has so many good and bad qualities blended together. They are very proud, haughty and formal, and if they think a person has committed an infraction on their dignity, they will never forgive him, and will practice the most unbounded dissimulation to throw the person off his guard, that they may take revenge; but if one is really a friend, you may trust your life in his hands, for he will lose his own life rather than to betray his friend. They are very hospitable and will give you anything they possess and steal from you at the same time.¹ I have known of many instances of their entertaining a person for the night in a most pleasant and agreeable manner, and during the night steal his horses, and in the morning lend him another to proceed on his journey; and frequently steal a person's spurs while he is supping with them. You could not offend them more highly than to offer to pay them for entertaining you. If they wish to get anything from you on credit, they flatter and stuff you to suffocation, at the same time praising themselves and boasting of their honesty; in fact if you were to credit what they say there could not be found two such nice fellows beneath the sun. They are also very suspicious. I was once in company with a party of Spaniards for a day and a night, and one of the Spaniards understood English perfectly well, yet he would not speak one word of it, but was listening to hear if any of us, for there were several foreigners with me, would say anything against his people or country. I have many such instances. Besides they dislike all other languages. I heard one of them observe to Mr. [Lemuel or Samuel ?] Carpenter, an American gentleman, that God understood no language but the Spanish. Mr. Carpenter asked him who he thought was employed for interpreters. He replied, "Quien save?", and dropped the subject. They are all very cruel; they will ride a horse until the animal can go no further when they will dismount and plunge a knife into him; and when killing cattle, having thrown the animal and secured its legs, they draw their butcher knives and deliberately plunge into the poor animals' eyes, and seem to feast upon their agony. They are great gamblers and do anything to obtain money to gamble with, and when that is gone they will gamble their clothing and their wives also, if they have one. They bear their losses with the greatest composure

and indifference and will pay a gambling debt in preference to any other.

They follow the scriptures in one particular to the very spirit and letter, that is, they take no heed for tomorrow, what they shall eat, drink and wear. It is an old adage with them that when you get a dollar spend it and enjoy it. I have frequently known instances of a man's wife telling him that there was nothing in the house to eat, and asking him what they should do for something to eat on the morrow. He would reply with the utmost indifference, "Dios save" (God knows), and I have often thought that they were supplied by some invisible hand for they never fail to have enough and some to spare on the morrow. They are very abstemious in eating and drinking, but great drinkers and gluttons at a feast.

They are all very strict in observing the duties imposed upon them by their religion. The most infamous and abandoned wretch will not lie down to repose without first commending himself to the care and protection of the Almighty God, though at the same time he may be revolving in his mind what steps he should take to steal some person's horse without being detected. A person should be cautious how he accepts a present from one of them as he may lay himself under obligations to the person for the remainder of his life. Although they will give you anything that you may ask for with the utmost good will, and never mention or think of it afterwards, yet if they make you a present of their own free will and accord, they consider you to be under lasting obligations to them, and that you have no right to refuse anything they may ask of you.

It might with much justice be said of the California Spaniards that they feasted and danced away their lives. They set no value on time whatever, consequently they seldom fulfil their engagements. It is of little moment to them whether business is transacted today or six months hence, unless it is something that is likely to interfere with their pleasure, then it is attended to with promptitude and dispatch. Their manners and customs have altered much since the conquest of the country by the United States.

In speaking of the cruelty of the Spaniards, I omitted to mention an expedition fitted out and commanded by one of their valiant commanders. They advanced against the Indians at Clear Lake, about three day's travel from Sonoma. They succeeded in taking a few women and children prisoners; this was sufficient to proclaim a tremendous victory. As they were returning in all the pomp of glorious war and flushed with victory, they forgot their duty to the vanquished and that mercy was the attribute of the brave. The little children began to grow tired and lag behind. On arriving at a little brook the fiend in human flesh, this unfeeling and black hearted commander dismounting from his horse, called the little children to him, baptized them one after another, and then dashed their brains out against the rocks. I could write pages of such and similar deeds, but I have said sufficient about their horrible and more than hellish deeds, and my heart sickens at the thoughts

of them as I write them down, and I am forced to quit recording the heart sickening details of monsters in human flesh. Our countrymen know their characters and it is needless for me to say more.²

I will here mention that in my flight to Mr. [Job Francis] Dye's distillery in Sienta [Zayante], I lost my powder flask by the cord chafing in two, and when concealed where Dye had directed me, I sent by Peter Lyons to Mrs. Majors, whose husband was a prisoner in Monterey, for some powder and lead. There being no powder in the house, she sent me all the lead that she could find, and for this mark of kindness I trust that I shall long remember her, and I set a high value on the gift, as I was almost an entire stranger to her, and she was a Spanish woman and but lately married to Joseph L. Majors, a very worthy young man and an American, and have both been remarkably kind to me. Mr. Majors had been in company with Dye in the distillery business, but was now living on his farm at San Augustin, and doing business on his own account. During Mr. Major's imprisonment at Monterey, his wife had occasion to go to the Mission of Santa Cruz. Having her favorite mouse colored horse saddled, she proceeds to the Mission, where on her arrival she was informed that Dye was in the Mission, and upon the point of setting out for her house to plunder it of her husband's rifle and other arms, and such other articles as he might think proper to take. Mrs. Majors seeing Dye mount his horse and start for her house, immediately threw herself into the saddle and giving her horse the reins, he seemed to be conscious that all his exertions were required, and the old Mission at Santa Cruz faded in the distance. Dye whipped and spurred with great fury, but all to no purpose; the Sounada passed him like an arrow, and bore his fair rider in safety to her home, when she immediately secreted her husband's arms and such other articles as might excite Mr. Dye's cupidity. In a short time Dye, who had formerly been a partner of her husband's, in business, made his appearance, now in the character of an enemy and a robber, with the determination to take advantage of the unprotected situation of a woman, and take from her what he thought proper. Dismounting from his horse and entering Mr. Major's house, he demanded Mr. Major's arms. Mrs. Majors replied that she did not know where they were. He then searched the house but was unable to find them, and returned to the Mission full of disappointment and ill humor, and having all his dreams of plunder frustrated by a woman. Sounada is the color of the horse and is pronounced Sounarther. The old horse is still in Majors' possession and is much thought of by all the family for his gallant behavior on so momentous an occasion.

While we were in Mexico City with Capt. Graham we saw the following advertisement in a Mexican newspaper. I cannot now exactly repeat the words, but it was to this effect; Capt. Graham having assembled his countrymen at Natividad for the purpose of overthrowing the Government, the Governor being apprised of his intentions, fell upon them in the night and

made them all prisoners. This paragraph was signed David Spance [Spence]. Now there was no such assemblage of men at Natividad nor any hostile demonstration made against the Government by Capt. Graham, and the very soldiers who conveyed us to Tepic gave in their evidence before the Court at Tepic, a declaration precisely the same as the prisoners did. I have merely mentioned this to show with what a vindictive spirit our countrymen pursued us. They could have had nothing in view or to prompt them to such a course of conduct but a pusillanimous desire to show their zeal and patriotism for the most degraded and detestible nation on earth.

VII

DESCRIPTION OF CALIFORNIA

CALIFORNIA is composed of vast fertile plains and lofty ranges of mountains, which extend the entire length of the country, being nearly or quite parallel to the sea coast. Branches of these mountains divide the country into many large and rich plains which are dotted with groves of oak timber without any underbrush, which at a distance resemble large orchards. As the trees with few exceptions retain their green foliage throughout the year, during the dry season when the hills and valleys are parched with the sun and winds, these groves give a pleasing contrast to the surrounding country, and the landscape is at once picturesque and inviting, furnishing at mid-day an agreeable retreat for the weary traveller, and a shelter and a shade for herds of cattle that graze upon the plains. There is no country in the world that looks so lovely as California from the month of February until the latter part of June. About the middle of February all the fruit trees are in blossom, the valleys and sunny sides of the mountains are covered with a variety of party colored flowers which perfume the air with a most agreeable odor. The earth is covered with a most beautiful velvet carpet of green, every bush and shrub puts forth a luxurious foliage of green, and all nature seems to be bursting into joy and gladness.

California, generally speaking, is not a well watered country, yet there are some noble rivers and fine streams for milling purposes. The banks of all the rivers and streams are lined with groves of oak, sycamore, alder, and willow. Springs of excellent water are to be found among the low hills which bound the margin of the plains, and water is found in any part of the plains at a short distance below the earth's surface. Artesian wells have been made, which threw up columns of water to a height of sixteen or twenty feet, and in quantities to drive any manufacturing establishment, as they can by this means have fountains and cascades and convey the water to any place they think proper. California will in time be a perfect paradise.

The climate in the vast valleys of San Joaquin and Sacramento is unhealthy, but along the sea board a man may live out his whole life time with but very little care and never be sick, and the earth never fails to

reward the husbandman with an astonishing yield of whatever he may think proper to put into it, and of superior quality. The winters and rainy seasons in California are not so cold as the winters in New Orleans, and as figs and oranges thrive well here, I can see no objection to the raising of sugar cane upland and lowland. Rice, cotton, hemp, tobacco, and olives yield abundantly in Cal. All kinds of fruit peculiar to higher latitudes thrive remarkably well, and there is not a better grape growing country in the world.

There are many natural curiosities in Cal. There are hot springs of various kinds; the hot springs near the Mission of San Miguel are a sure and infallible cure for rheumatism, as I have had ocular demonstration of the fact in one of the most obstinate cases of that complaint. In the north western part of the state near the Russian River there are immense sulphur mines; there is a hot vapor issuing up through many small craters in the earth, and around these craters the sulphur has been forming for ages, and vast quantities might at any time be obtained. In Napa, not far from these mines, there is a cave which yields considerable quantities of alum, which has evidently at some time been exposed to the heat of fire. In the southern part of the state [at Rancho La Brea] not far from Los Angeles, there are some pitch mines which are a great curiosity, by moonlight. A large blubber or globe is constantly following each other, some three or four feet in diameter. They continue to rise until their surface is no thicker than a piece of paper, when they burst and another supplies its place. The moonbeams falling on these cones, they reflect all the varied colors of the rainbow. That the country at some remote period has been submerged in water, there is no reason to doubt. Not far from the Mission of San [Luis] Obispo, and at least fifteen or twenty miles from the ocean, there is an extensive bed of oyster shells which the people used to dig up and furnish the Mission with lime after burning them. In many parts of the interior large beds of fossils are to be found. Near Santa Cruz, on the top of a mountain, where there is a small lake, are to be found the skeletons of whales; this is eight miles from the sea shore. People have taken away many joints of the back bone for stools to sit upon. There are also several small streams in the north western part of the state so strongly impregnated with saltpetre that it is impossible for man or beast to drink it. Everyone has heard of the immense redwood trees of Cal. I shall mention but one standing in Seanta [Zayante], a short distance from the Mission of Santa Cruz. It measures fifty-four feet in circumference, and holds its size for a long way up the trunk. It is not only remarkable for its size but for the many important personages that have honored this monarch with a visit; among its illustrious visitors was the son of Sir Robt. Peel, Col. Fremont, and many other persons of distinction.

With regard to the mines and minerals of California, I shall only speak of the quicksilver mines, as I assisted at the first starting of them, and have seen many experiments to prove their richness, and should say at that time

forty-five per cent was a very correct estimate, and during the year 1854, they produced nearly a million dollars worth of quicksilver.

VIII

[CONCLUSION]¹

"I SHALL make a few more remarks and am done. After the country had been taken and peace restored, I walked fifteen miles to see my invaluable friend Thomas J. Farnham, who was in the Pueblo de San Jose, he had since I last saw him published a work on California² in which he had called the notorious William R. Garner, a Sidney Convict, Garner had entered suit against him for defamation of Character, the Case was tried before Judge [Walter] Colton in monterey who had laid by his Saserdotal robes, for the strong arm of the law. I was called on by Mr. Farnham to state what I knew respecting Garner. I gave in my deposition. when the trial came on Messrs. Hartnell & Larkins appeared as evidence for Garner, Mr. Hartnell made oath that I was not sound in mind, in other words that I was insane, Mr. Larkins evidence was to the same effect. Now by the laws of England and I think they are the same in the United States, it is necessary that not less than three skillfull physicians shall decide whether the person examined, be sane or insane. Now I presume that neither Mr. Larkins or Hartnell ever studded *Materia Medico*, or diseases of the mind or body, nor do I think that they are acquainted with the human structure, I mean that they never studded it as a science, I may be mistaken but I think not. Now the effect of their testimony given before the publick is this that wherever I go I am pointed out from amongst the multitude as the crazy man, all eyes are turned on me to see if they can detect me committing some absurdity. I hope these gentlemen will be able to maintain their position, as I would not be thought a sane man by sutch a crowd for the wealth of the indies.

"I came to California in the year 1834 Counting the time I was in Mexico, I have been here nineteen years and find myself just as insane as the day I landed, and like many of my unfortunate fellow beings may never overtake good sense and reason during life. thus ends the Crazy Mans Journal."

NOTES TO PART IV

1. MS-B: "Whom I must say to do him justice has ever been the friend of the foreigner, and to his country."

2. The Pulgas redwoods: that portion of the forested Coast Range lying immediately back of the present Redwood City and taking its name from the adjacent Rancho de las Pulgas (Ranch of the Fleas).

NOTES TO PART V

1. See also Phelps, William D., *Fore and Aft*, Boston, 1871, pp. 254-59.

Phelps had the mistaken idea that this was the "first passage of a ship's boat on that river," and that it was "the first time the stars and stripes waved over its waters." William Heath Davis, however, in *Seventy-five Years in California*, p. 20, referring to the landing of Sutter from the schooners *Isabel* and *Nicholas* in August, 1839, says: "We

returned the salute with nine cheers from the schooners, the vessels flying the American colors."

2. MS-B: "Mr. Majors, his wife and children were obliged to sleep many nights in his wheat field."

3. MS-B: "Took possession of Monterey and hoisted the proud banners of his country."

4. MS-B: "Near what is now called Capt. Fishers Ranch."

5. A roster, in Sutter's handwriting, of the forces under Captain Gantt, which left Sutter's Fort on January 1, 1845, is reproduced in *The Diary of Johann August Sutter*, published by the Grabhorn Press in 1932.

6. MS-B: "Alvarado who speaks English and Mr. Streeter, were the interpreters."

7. MS-B: "Nor do I pretend to say who they were, but suppose them to be individuals who were not arrested and did not live far from Monterey."

8. MS-B: "A short time before the American flag was hoisted, the Spaniards renewed their threats, letters were intercepted and read at Sutters fort, calling on the inhabitants to unite and disarm the foreigners and drive them back across the Rocky Mountains, a thing utterly impossible for men to do without arms, they would all have been butchered by the indians. Several fields of grain had been burnt in the vicinity of Sutters fort by the indians, supposed to be incited to the act by the Spaniards."

9. MS-B: "An hundred and eighty men."

10. MS-B: "This flag was a Grizzly bear painted with the juice of blackberrys with one star in it (a brilliant one) upon a piece of bleached sheeting."

11. MS-B: "The foreigners were now masters of all the north & west side of the bay, and the most valleys of the San Joaquin and Sacramento, while affairs were in this state, the American Squadron under Commodore Sloate came in and took possession of the country and hoisted the American flag, the bear flag was immediately struck, and all hands rallied under that of the United States while the war was progressing Mr. Meritte at the head of a body of old settlers, advanced from Sutters fort and attacked San Diego and carried the place, for which service the Commodore gave him much credit, the old settlers call for nothing more than is their due, with that they are contented, it is evident that they had taken one half of the Country before the american flag was hoisted, that they were able to maintain their ground, there is no reason to doubt, as their numbers were fast augmenting although not two thirds of them had yet got together, but were uniting as fast as possible, and in a very short time the Bear flag would have waved in triumph over California. Tis true that when we were scattered over the Country the Spaniards handled us pretty roughly, but when we were embodied it was not in their power to make an impression on our lines thus you perceive that John Bull and Brother Jonathan, instead of amassing wealth in California, had frequently to stand shoulder to shoulder, for mutual defence, not knowing at what moment they might have their throats cut. for my part I think they have displayed not a little firmness and energy in getting what they have got and being able to defend it."

NOTES TO PART VI

1. MS-B: "Much has been said about the hospitality of the Spaniards, tis well known that they had vast herds of Beef Cattle, and horses, and that there was no market except for hides and tallow, the beef was left for the buzard Coyotes and wolves, in fact the person who partook of their hospitality did them a kindness, for beef was a drug and an incumbrance on their lands, and the person who partook of it, saved them the trouble of throwing it out of doors to bate a parcel of Coyotes and wolves about their houses to disturb their repose through the night with fighting and howling. It might be said that it cost them a great deal to take care of their stock, such is not the case, they were herded by the indians, who cost them but a trifle more than they eat, in fact they allways contrived to keep the poor indian in debt, or at least to make the poor devil think so, they were seldom paid more than two or three bullock hides per month or six dollars in goods, this they allways drank in Arguadiante on Sunday, besides while a person was partaking of their hospitality they generally managed to get the worth out of him, by stealing something from him. In fact they would

feed you on roast beef, and then run you through the body with the spit, what an excellent thing is hospitality amongst Spaniards who invariably took more from their guest than they gave him."

2. This and the next two paragraphs follow the "Description of California" in the original.

NOTES TO PART VIII

1. From MS-B.

2. *Travels in the Californias, and Scenes in the Pacific Ocean*, New York, 1844.

APPENDIX

CONTEMPORARY NEWSPAPER COMMENTS ON THE EXPULSION OF THE FOREIGNERS FROM CALIFORNIA

CLIPPING IN THE TEMPLETON CROCKER COLLECTION FROM THE
Mercantile Journal, BOSTON, AUGUST 8, 1840

We copy the following interesting article from the New York papers of yesterday:

The California Affair. We have been furnished by Captain Clifford with the following statement in relation to the arrests of American and English seamen in California.

On the 7th of April, the English and American residents on the coast of California, near Santa Barbara, were, without any previous notice, seized upon and thrown into prison—no one could tell for what causes. After undergoing an examination, of which nothing public was made known, the Governor chartered a vessel called the Guipuzoa [*Joven Guizpucoana*], which finally left Santa Barbara, on the 7th May, for San Blas, with forty-six prisoners on board, half of which number were English, the remaining half citizens of the United States.

These miserable sufferers, loaded with irons, worn down by the cruelty they had received, and expecting, many of them, to sink under the weight of their accumulated miseries, were crowded like condemned felons into the hold of the vessel, where, to add to their sufferings, they were inhumanly deprived of both light and air.

The Guipuzoa was eleven days on her passage to San Blas, during which time the prisoners endured every cruelty, and suffered every abuse which the brutal feelings of their persecutors could invent. Arrived at San Blas they were with as little delay as possible landed, and immediately forced to commence their march to Tepic, a distance of sixty miles, which they performed in two days, over a mountainous road, with the thermometer standing at 90—having no place whereon to rest their weary bodies but the hard stones, and no food to supply exhausted nature, save a scanty morsel, provided by the hand of charity.

During the march, which was laborious enough to exhaust the stoutest frame, the prisoners were urged onward by lashes inflicted upon their naked bodies, and one, who sang under fatigue, was barbarously beaten with the butt end of a musket, to renovate his strength and arouse his drooping spirits.

Arrived at Tepic, the situation of the prisoners was soon meliorated by the energetic and humane exertions of the British and American Consuls at that place; for it was found on investigation, that the officers who had come from California in charge of the prisoners, had no documents of any nature to show the cause of the violent proceedings of the Governor, or any proofs of charges against the prisoners; consequently, by orders

of the military commander, the irons were taken from their limbs, and by direction of the Consuls, comfortable quarters and wholesome food were provided for them without delay.

The military gentlemen, whose brutality had excited the indignation even of the authorities of Tepic, to their utter consternation were compelled to march to the quartel, where they found themselves placed under charge of a strong guard, with the privilege of occasionally peeping through the grates.

A circumstantial account of the history of the outrage and the sufferings of the prisoners had been forwarded by the Consuls to the British and American ministers resident in Mexico, both of whom had warmly entered into the cause, and had demanded a full explanation from the supreme government, and satisfaction for the injuries which their countrymen had been compelled to suffer. Official accounts of this infamous transaction have been forwarded to the British and American governments by their respective ministers at the city of Mexico, and it is confidently hoped that prompt and energetic measures will be pursued by those powers to obtain ample justice and remuneration for the prisoners, and satisfaction for the national insult.

During the course of proceedings against the prisoners while in California, and afterward in Tepic, they were assisted with advice and other means by an American citizen named Farnham, who fortunately happened to be passing through that country, on his way to the United States, which services were acknowledged by the prisoners in the following certificate:

REPUBLIC OF MEXICO. }
City of Tepic, 24th May, 1830 [1840]. }

Thos. I. Farnham, Esq.

Sir: We, the undersigned, natives of Great Britain, and of the United States of America, formerly residing in Upper California, and at present prisoners in this city, beg to return you our most grateful and sincere thanks for the very important services rendered to us in California, while under confinement there, and for your indefatigable and successful exertions in alleviating our sufferings and saving our lives while in the hands and under the persecution of the lawless men, who have lately committed so many atrocities against the settlers established in that country.

We have also equally to acknowledge the great trouble you have taken, to lay our case before the British and American Consuls of this place, and to procure for us the kindness and protection of those gentleman, which relieves us from all fear of farther personal danger and ill treatment, hitherto suffered by us from our late persecutors.

All this we owe to your disinterested kindness and indefatigable exertions for our welfare, and to you alone under God, many of us owe our lives, which otherwise would certainly have been sacrificed to the fury of our tormentors. In return for such humane and beneficent services, we can only offer our prayers, and our thanks, and we trust that in due time you will meet the reward which such true benevolence merits.

NAMES OF PRISONERS.

Isaac Graham
Nathan Darly
Lewis Pollock
Joseph Whitehouse
Milton White
John Warner
John Price
Richard Westlake

Lawrence Carmichael
George Frazer
Wm. Shea
James Grigor Dove
Wm. Bloomfield
Thomas Jones
Albert T. [F.] Morris
Wm. Anderson

Wilhelm Brincken
 Thomas Thomas
 John Irvin
 William Macglone
 Albert Williams
 Robert M'Callester
 William Green
 Geo. Chapel
 James Louzade
 William Baily
 Joseph Boles
 John Higgins
 Charles Williams
 Jos. Pearce
 Jas. O'Brian

James Meadows
 Wm. Forbes
 Elijah Perry
 Henry Knight
 Thomas Lewis
 Wm. Langlois
 John Lucas
 John Christian
 Daniel Goff
 John Mayard
 William Burton
 John Vermillion
 G. Prior
 Charles H. Cooper
 John Armstrong

British Consulate, }
 Tepic, 24th May, 1840. }

I hereby certify that the names affixed to the foregoing letter are of the true handwriting of those they represent, and now prisoners in this city.

Given under my hand and seal this day and year above dated.

(Signed) EUSTACE BARROW [BARRON].

CLIPPING IN THE TEMPLETON CROCKER COLLECTION, APPARENTLY FROM THE
 BOSTON *Mercantile Journal*, DATED IN INK, AUGUST 13, 1840

CALIFORNIA. A writer in the N. Y. Journal of Commerce, who professes to be thoroughly acquainted with all the facts connected with the late outrage on Americans and Englishmen in California, has furnished a long and minute account of the causes which led to, and the nature of that outrage. If the statement is correct, our government must take hold of the business with decision and energy. He says:

On the coast of Alta California there have settled about two hundred English and Americans.—These, with some exceptions, are men of character, industry and enterprise; a large number of them are married in the country, and have families; some possess considerable property, which principally consists in cattle; and others, by their industry and perseverance, are fast accumulating sufficient to render their means of living easy.

So far from the foreigners having had any wish to 'take possession of that beautiful country,' or that it should throw off its allegiance to the Mexican government, (which for years has been the constant wish of its native inhabitants) they have ever united to prevent any event of the kind, and in more than one instance have they been the means of preventing the people of that department from declaring themselves independent of the Mexican government.

His Excellency, Don Juan Alvarado, since the reception of the appointment of Governor, by his arbitrary and illegal proceedings had rendered himself so obnoxious to his countrymen, that a strong party was collecting for the avowed purpose of depriving him of his office. Aware of this, he well knew, that should the foreigners be induced to co-operate with his enemies, his situation would become critical, and their success un-

doubted. Something was then to be done, if possible, to rid the territory of the foreigners. About eighteen or twenty miles from Monterey, the capital, at a place called Nativetas [Natividad] resided an American by the name of Graham. He was from the State of Kentucky, and a more peaceable, honest and unsophisticated man never emigrated from that famed section of this land. By his industry and steady habits, he had acquired about five or six thousand dollars in cash, and was the owner of cattle to the value of more than ten thousand. These were prizes not to be lost by a government suffering from want, and were sufficient bait to make their owner an object on whom to direct the first wanton attack.

Accordingly a man was found, an Englishman, by the name of Gardner [William R. Garner], who was hired to swear that the foreigners had united, from San Francisco to San Diego, a distance of more than nine hundred miles, to murder the Governor and take possession of the country, and that Graham was the leader.—This purchased evidence was considered sufficient on which to act, and accordingly Colonel Castro, the prefect, marched out, accompanied by two inferior officers and fifteen armed ruffians in the garb of soldiers. At the dead hour of a dark and stormy night, they reached the house of Graham, and forcing open a frail door, fired their whole volley of musketry, not knowing how many lives they should jeopardize, or how many death-shots would be numbered. It so happened that instead of 'fifty foreigners convened at that place (Nativetas) who offered resistance,' there was only found Mr. Graham and his partner, an American by the name of Shard [Chard], both sleeping in conscious innocence, and as they supposed, in security. Fortunately no shot took effect. Mr. G. was slightly wounded in several places, and badly burnt. Aroused from his slumber, he attempted to defend himself, but was overpowered by numbers, inhumanly beaten, and then tied hands and feet like a beast. Mr. Shard, a quiet, inoffensive and industrious mechanic, was seized by the soldiers, and while two of them held him down, a third coolly and deliberately cut his *hamstrings* with a butcher's knife, and left him to die. Mr. G. was then lashed on a horse and carried to Monterey, where he was loaded with irons and cast into a den where a savage would have shuddered to put the person of his deadliest enemy.

More than sixty other foreigners were then immediately arrested, and cast into the same prison house with Mr. Graham, where, with their limbs covered with irons, with no place on which to rest their weary bodies but the cold, wet earth, and no food provided wherewith to sustain nature, they were compelled to drag out an existence, suffering every torment which the human body could sustain. Orders were then issued by the Governor to arrest and confine every foreigner found on the coast. In many of the towns, this arbitrary order was not put in full force; nearly all, however, were arrested, and those who could not give bonds for their appearance when called for, were confined in the different prisons. The forty six prisoners who have been sent to Tepic, received no trial whatever. The writer has seen all the depositions of the prisoners, taken by the British consul at Tepic; he is knowing to the opinion of the English and American ministers in Mexico; and is aware also of the feelings on the subject of President Bustamente. For these reasons, and that also of his having been an eye witness to many of the transactions which have been referred to, the [he] scruples not to declare that the outrage on our citizens, committed by the orders of the Executive of California, has been the most flagrant, the most unjustifiable, and the most wanton, which has for years characterised the arbitrary proceedings of the most arbitrary despot.

CALIFORNIA NEVER WAS AN INDEPENDENT REPUBLIC

By GEORGE TAYS

MUCH has been written about California as an independent republic, and many old-time Californians are wont to boast that California, along with Texas, shared the distinction of having been an independent country before becoming a part of the American Union. Our State flag commemorates the supposed republic, and the society of the Native Sons of the Golden West makes much of such a supposition. From a Californian standpoint, no doubt, it is heresy for a Californian to make this statement; but unfortunately for us, unlike Texas, California never was an independent republic.

The preceding statement is true if we accept the ordinary theory of what constitutes an independent country. That theory is to the effect that a country is independent provided that it is not subject to any other nation; that it has some established system of government; that such a government is able to perform acts of sovereignty within the boundaries of its own country, and such a country must be recognized as such by other nations. Judged by these standards, Texas won and maintained its independence for ten years, and doubtless could have maintained it indefinitely had it not voluntarily chosen to surrender it in order to join the United States. By these same standards California could not be considered an independent state for even a single minute.

The nearest California ever came to being independent was at the time of the Alvarado revolution in 1836. At that time the existing government was overthrown, and a new and effective one was put in its place. Officials were appointed and the machinery of government began to operate. A declaration of independence was published, but with certain limitations. But even under these conditions it cannot be said that California was independent. In the first place, it was not recognized as such by Mexico or any foreign country. Then, too, the majority of the people of the territory did not recognize Alvarado's rule. A counter revolution against the new government started in Los Angeles almost at once, so that Alvarado was unable to control all the territory. Therefore, it cannot be said that California achieved even *de facto* independence, and since most of the people did not submit to Alvarado's rule until he himself had submitted to the Mexican government, the independence of California did not exist *de jure*.

Now, turning to the Bear Flag revolution and the proclamation of independence at Sonoma on June 14, 1846; this movement had even fewer

grounds to claim independence than the one in 1836. It was started by a handful of foreigners who had arrived in the country the year before and were not even citizens of California, for in the majority of cases the California authorities were not even conscious that those individuals were resident in the territory. That movement, then, may be classed as a filibustering expedition. The proclamation of independence was issued in the wild and sparsely settled frontier. The recognized authorities of the territory did not know about it until after the revolution was over, as no copy was sent to them. Also, the mere fact that a proclamation of independence is issued does not necessarily mean that the country becomes independent. Independence has to be won first. Not one citizen of California was involved in the movement for independence and most of them were ignorant that such a thing was contemplated. Today, if a band of some forty foreigners went up to Lassen County and proclaimed California independent from the United States, no one would think that our State had become an independent republic. Yet such a situation would be analogous to what actually took place in Sonoma in 1846. Although a proclamation of independence was issued and a flag was raised, no officials of government were elected or appointed; no machinery of government was provided, and no acts of sovereignty were performed by any one of the revolutionists. Furthermore, the revolution never advanced outside the confines of the northern frontier. Certainly the forces of Mexico in the territory were not defeated. The capital of California was still in the hands of the legal government. Over 99 per cent. of the territory was still ruled by the legitimate authorities. The revolutionists were not even recognized as belligerents by either Mexico, the people of California, or any foreign power. And when the military forces of the United States took possession of California they ignored the existence of the Bear Flag Republic and raised the flag of the United States over Sonoma without even asking leave of the revolters. Furthermore, the control of the United States over California is dated as of July 7, 1846, when Commodore Sloat raised the American flag over Monterey. Besides, American ownership of California was acquired by military conquest and not by annexation of a free country, such as was the case in Texas. Title to California was received from Mexico by the peace treaty of Guadalupe Hidalgo, and not by a treaty with the Bear Flag Republic, as would have been the case had California been actually independent. Finally, the revolters were not even sure of their control over the small area that they held. For all these reasons, then, how can anyone imagine that there was an independent republic, when such a state did not exist either *de facto* or *de jure*?

To say that, because a handful of ignorant foreigners took possession of a frontier post and issued a preposterous declaration of independence, California automatically became an independent republic, is one of the great historical absurdities on record.

THE FIRST UTAH COINS MINTED FROM CALIFORNIA GOLD

By REVA HOLDAWAY STANLEY

WHEN the Mormon pioneers reached the Valley of the Great Salt Lake late in July of 1847, the only coins they possessed were \$87.00 in United States coinage in the possession of Brigham Young. In the Utah wilderness at that time, there was no need for a medium of exchange, but with each succeeding company which came into the Valley, the necessity for some such medium became increasingly apparent. In 1848, immigrants arrived by the thousands, and in the fall of that year Brigham Young found a way to fill this need.

In January of 1848, gold was discovered at Coloma, in California. Most of Sutter's employees at the time were former Mormon Battalion men. Various groups of these had begun drifting homeward over the Sierra by the first part of July, and by October they had begun to arrive in the Great Salt Lake Valley. The former members of the Battalion were supplemented by small companies of Mormons who had come to San Francisco on the ship *Brooklyn* in 1846, under the leadership of Samuel Brannan, and had later moved to Mormon Island to work rich claims, from whence they came direct to the new "Zion." All of these arrivals brought gold dust from California, which was welcomed by Brigham Young as the answer to his problem of providing his people with a medium of exchange.

The "Utah Early Records"¹ have this to say:

On the 13th [of November, 1848] fifteen Battalion men arrived from California. During the month several other small companies arrived. Some of them brought considerable gold dust with them.

[On the 19th of November, 1848] preparation was made to make coin of the gold dust brought from California.

On the 25th Brigham Young, John Taylor and John Kay (a blacksmith) made out an inscription for the gold currency. . . . on one side "Holiness to the Lord" with an emblem of the Priesthood. On the reverse the words "Pure Gold" and the value of the coin, surrounding two hands clasped, representing friendship.

The *Juvenile Instructor* describes these coins as having a beehive and spread eagle on one side, with inscription, "Deseret Assay Office, Pure Gold," and at the base, "5D." On the other side was a lion surrounded by, "Holiness to the Lord" in the characters of the Deseret alphabet.² This can hardly be true, for the Deseret alphabet was not invented so early as the year 1848.

Bancroft² says that the dies and "everything connected with the coining were made in Salt Lake City," but that the crucibles broke and for the time being the attempt to coin money was abandoned. "Nebeker's Early Justice" said that "John Kay coined \$2.50, \$5 and \$20 pieces."² It seems likely, there-



FIRST UTAH COINS FROM CALIFORNIA GOLD

fore, that some coins were successfully made before the crucibles broke, although there were not enough for any use, other than to say that they were actually made.

The "Records" continue:

As there was considerable gold dust in the possession of various persons in the City and there were no more crucibles in which to melt any more of it, and currency of some sort was greatly needed, it was resolved in a public meeting on the 28th [of December, 1848] that Brigham Young should issue notes for circulation on dust deposited with him, the notes to be redeemed when the dust was coined.

In the latter part of the month a number of one, three and five dollar bills were prepared and signed.

[1849] On the first of January the first bill [one dollar] of local paper currency was issued. The Bills were signed by Brigham Young, Heber C. Kimball and Thomas Bullock, clerk.

Evidently there were not enough of these bills to fill the need, and other ways of providing currency in a hurry were sought. On the 6th of January, resolutions were passed by the Council to the effect that "Kirtland bank bills be put into circulation for the accommodation of the people, thus fulfilling the prophecy of Joseph, that the Kirtland notes would one day be as good as gold."² These Kirtland Bank Bills had been issued by Joseph Smith as Cashier of the Kirtland Safety Bank, which had failed in Kirtland, Ohio, in 1838. Joseph had not foreseen that it would be California gold which would make those bank notes of value.

There was a need for small money, and on January 22, 1849, "Brigham Young and Thomas Bullock were engaged in setting type for the 50 cent bills, paper currency, the first type-setting in the Great Basin." All this paper currency, backed by California gold, was used as money until enough legal tender of the United States came into the Valley to replace it; then it was recalled and destroyed. However, another attempt was made to coin the gold at a later time.

An entry for April of 1849 in the "Records" says:

On the return of a portion of the "Mormon Battalion" through the northern part of Western California, they discovered an extensive gold mine, which enabled them, by a few days' delay, to bring sufficient of the dust to make money plenty in this place, for all ordinary purposes of public convenience, in the exchange the brethren deposited the gold dust with the Presidency, who issued bills, or a paper currency; and the "Kirtland Safety Funds" re-signed, is on a par with gold.

A few months later, a second attempt was made to coin gold, which this time was attended with more success. J. M. Barlow, a jeweler, was requested by Brigham Young to make a set of dies for \$5 pieces, and for a number of years he refined the gold and coined it into money.³ Coins of \$2.50, \$10 and \$20 were also minted, although by whom is not of record. These were made of pure gold without alloy, most of the historians claim, although some say there was a little silver used. However, they were deficient in weight as compared with United States coins. They had not the symmetry nor the beauty of the United States coins, and they never had any general usage. They were eventually sold to the Federal mints as bullion.

Jacob R. Eckfeldt and William E. DuBois, who were assayers of the Mint for the United States, received some of these coins on January 10, 1850:

THE MORMON COINS have just been received, through a gentleman who came overland from Great Salt Lake in eighty-one days. They consist of 20, 10, 5, and 2½ dollar pieces. In fineness they are about 899 thous., with little variations; and they contain only the native silver alloy. The weights are more irregular, and the values very deficient. The 20 dollar piece weighs from 436 to 453 grains, value \$16.90 to \$17.53. The 10 dollar, 219 to 224 grains, \$8.50 to \$8.70. The 5 dollar, about 111 grains, \$4.30. The 2½ dollar, about 58 grains, \$2.25.

On one side of the coins is HOLINESS TO THE LORD, with a large eye, and something like a mitre; on the other, two hands in friendly grasp, with the date 1849, and a legend containing the alleged value, and the initials G. S. L. C. P. G., meaning GREAT SALT LAKE CITY, PURE GOLD. The ten dollar piece has PURE GOLD, in full.⁴

In a later edition of their book, published in 1851, these Federal assayers added the following comment:

Although there is much irregularity both in weight and fineness, the denominations are tolerably in proportion to each other. A parcel made up of all sizes, and counting \$562.50, yielded at the mint \$479.20; say \$8.52 to the ten dollar piece. The fineness was 886.⁵

With the crude machinery to be had in Utah at the time, it is not particularly strange that the weights should be different from Federal specifications. Since they were designed for internal use in the Territory, they were accepted at full value, and it is doubtful that many of them found their way to other communities except as they were sold to the mints.

Few of the old people in Utah remember these coins. It seems, then, that the currency was used instead of the coins and was still in usage as late as the sixties. In any exchange between Mormon and outside communities, it is probable that the California gold dust was used in preference to the coined gold.

NOTES

1. "Utah Early Records," MSS, Bancroft Library.
2. Bancroft, *History of Utah*, p. 291.
3. Whitney, *History of Utah*.
4. Eckfeldt, Jacob R., and DuBois, William E., *New Varieties of Gold and Silver Coins, Counterfeit Coins and Bullion; with Mint Values*, Philadelphia, 1850, p. 61.
5. *Ibid.*, New York, 1851, p. 9.

THE LAW AND ORDER VIEW OF THE SAN FRANCISCO VIGILANCE COMMITTEE OF 1856

Taken from the Correspondence of Governor J. Neely Johnson

Arranged for Publication by

HERBERT G. FLORCKEN

PART IV

With Terry released, Kibbe began to urge the Governor to confirm the appointment of General Beale as sheriff of San Francisco. Letter after letter written by him urges this appointment.

GENERAL BEALE FOR SHERIFF OF SAN FRANCISCO⁵⁸

Off. Qr Mr. & Adj Genl Cala
San Francisco Aug. 7, 1856.

Sir:

Judge Terry has been released as I have predicted heretofore, and our friends are generally rejoicing—There is I understand much excitement in the ranks of the Vigilance Committee to-day, and a fair prospect of a rupture among themselves, though I think there will be none,—

The Board of Supervisors have this day elected Gen Beale Sheriff of this County, which election gives great satisfaction and I do not think there will be any difficulty in his officiating in that office—If there should be, it will probably be necessary for you to recognize some one as Sheriff—There is but little doubt here of the power of the Supervisors to appoint and I would suggest that you should recognize Gen Beale as Sheriff by transmitting similar instructions to him to those issued to Scannell in regard to any refusal to obey the Mandates of the Courts of this County by any persons whatsoever—authorizing him to call upon the military if required—This can do no harm and would probably do much good. It will not be long I hope before all things will be right here, and the recognition of Beale will aid us materially.

I Am Sir

Your Obt Servt

WM C KIBBE

To His Excellency

J. Neely Johnson

Governor State of Cala

Qr Mr & Adj Genl Cal

Off. Qr Mr & Adj. Genl Cala
San Francisco, Aug 8. 1856

Sir:

The excitement here yesterday in consequence of Judge Terry's release was very great, and will continue for some length of time—This is among the ranks & file of the Vigilance Committee—All will be mobilized [?] although their strength is much impaired—It is very important at this time that a proper man be appointed Sheriff—I understand Judge Freelon has decided that the appointment lies with you and in that case it would be most suicidal for you to appoint a man who either sympathises with the Vigilance Committee or who has never taken a position upon that question. I look upon a "Sympathizer" as worse than a member who is willing by acts to show his sincerity in any position he may take—The only party you can rely upon here for support hereafter is the "law and order party" those who have stood by you during these perilous times at any personal risk or hazard, these: are the only men entitled to consideration and in this view of the case there is no doubt but what Beale's appointment as Sheriff of this County would do more for the success of law and order than any act which could be done. Strong I am informed has never taken any stand with reference to these matters at all, or is a Sympathizer with those opposed to law and order. *He* should not be appointed this being the case. At any rate investigate the matter fully before you commit yourself This is indeed important and I hope will receive due attention, Under any and all circumstances appoint no one who is not with us—All have confidence in Beale, as the proper man.

There will be an attempt here I am informed to organize military companies who are really with the Vigilance Committee but under assumed names apparently distinct from them. Please direct me not to recognize any such company unless each member subscribes to the following oath [oath omitted].

I hope your action in this matter of Sherifalty will be such as suggested—

Your Obt Servt

His Excellency

J. Neely Johnson

Governor of Cala.

WM C KIBBE

Qr Mr & Adj Genl Cal

Off. Qr. Mr. & Adj Genl. Cal.
San Francisco, August 13, 1856

Sir:

I have nothing of particular importance to communicate to-day—There is considerable anxiety manifested in regard to the Sherifalty. Parties do not know to whom to have their papers executed, as all matters are in an uncertain state, and many desire that you should simply recognize Beale as

Sheriff which would be endorsing the acts of the Board of Supervisors, in that respect when it is believed that Scannel would immediately surrender the office without further contest.

The appointment of Beale is very popular among all classes. If you have not the power to appoint, could You not construe the law, as most of the legal fraternity do here, i.e. by simply recognizing Beale as Sheriff in the transmission of instructions?

There are many important civil suits about to be commenced and it seems quite important to have a Sheriff. I am informed that upon your recognition as a Sheriff, the Courts here would immediately endorse the same, as they generally believe the Supervisors have the power under the law to fill the vacancy.—I have personally no feeling in this matter further than if the difficulties should be procrastinated here we need a Competent Sheriff particularly—and I think Beale is the man for any emergency which may hereafter arise.

I am Sir,

His Excellency

Your Obt Servt.

J. Neely Johnson

WM. C. KIBBE

Governor State of Cal.

Qr. Mr. & Adj. Genl. Cal.

On August 14, Forman and Thompson returned to California from Washington with the discouraging news that the Federal Government would not interfere in the conflict between the Governor and the Vigilance Committee. The two delegates addressed the following letter to the Governor giving him an account of their mission:

FORMAN AND THOMPSON'S REPORT⁵⁹

July 20th, 1856

To His Excellency

J. Neely Johnson

Governor of California

The undersigned deputed by virtue of your letter of appointment of the 18th of June last, "on behalf of the State of California to proceed by the most rapid means to the City of Washington and make application to the President of the United States for the use and services of such arms and ammunition, to-gether with the aid of the Naval and Military forces of the United States as may be required by the Executive of the State in the suppression of the (then) existing insurrection in the City of San Francisco" have the honor to report, That in pursuance of your instructions they sailed from San Francisco in the Steamer of the 20th June, and proceeded with all practicable dispatch to the City of Washington where they arrived about the 15th of the following month of July.

They lost no time in waiting on the President and laying before him your Communication setting forth the unhappy and alarming state of affairs ex-

isting in the City of San Francisco and soliciting the prompt interposition of the Federal Government for the purpose of suppressing the insurrection and maintaining the State authorities in the exercise of their legitimate functions. They did not fail at the same time and in several subsequent interviews with the President, to urge upon that functionary, from facts in their own knowledge the alarming aspect which the insurrectionary movement in that City had assumed, and the danger which was to be apprehended, in addition to the total abnegation of the local authorities, of the entire overthrow of the State Government and the ultimate destruction of the supremacy of the Federal government on the Pacific Coast. These considerations had not in the opinion of the undersigned, received from the Federal Executive the attention which their importance demanded. They have reason to believe that the President had been induced by the misrepresentations of parties actually engaged in the insurrection or those who sympathized with them to regard the matter in a much less serious light than was warranted by the true state of the case, and that the t[r]easonable organization would by a voluntary and speedy dissolution remove all grounds of apprehension on that score. He however promptly on the receipt of your communication referred it to the Attorney General for his opinion on the Legal and Constitutional questions which it presented: the result of that reference you have already received in the communication of the Secretary of State under date of [July 19] transmitting the opinion of the Attorney General and the decision of the President on the subject.

These documents would have been forwarded by the Steamer of the 20th July, but at the instance of the undersigned they were withheld until after the arrival of the mail which left San Francisco on the 5th of July. That arrival bringing the intelligence that the insurgents had not dispersed and returned to their allegiance to the laws as it was represented they were about to do, but on the contrary that they had been guilty of other & more outrageous acts of violence & bloodshed fully justified the view which the undersigned had taken of the subject and went very far to disabuse the minds of the President and his Cabinet of the erroneous impressions they had received in relation to it. While therefore this new aspect of the question could not change the Legal conclusions to which the President had arrived as set out in the communication above referred to, it nevertheless led to the issuing of stringent orders to the Naval and Military Commanders on the Pacific Coast which would have rendered effectual aid to the State Executive in its efforts to suppress the insurrection, had not the insurgents by a timely disbandment and dispersion, superceded the necessity for any action under them.

In conclusion the undersigned would remark that although they may have failed in accomplishing immediately the purpose of their Mission in consequence of the insufficiency of the law enacted in the infancy of the Republic to meet a contingency which its framers could never have anticipated, we

have the satisfaction of believing that it contributed in no unimportant degree to the restoration of order in the infected district.

All of which is respectfully Submitted—

R. AUG. THOMPSON
F. FORMAN

They enclosed the following letter written to the Governor by the Secretary of State, Marcy.

SECRETARY OF STATE MARCY'S LETTER⁶⁰

Department of State
Washington, July 19th, 1856.

His Excellency
J. Neely Johnson
Governor of California

Sir,

The President has received your communication of the 19th of June representing that an illegal association in the City of San Francisco had overpowered by force public authority there, and requesting the aid of the United States to enable you to maintain the government and enforce the laws of the State.

The President has given to the subject the most careful consideration. He is deeply impressed by the anomalous condition and dangerous tendency of affairs in San Francisco, as set forth in your letter, and is prepared whenever exigency arises demanding and justifying his interposition to render assistance, to suppress insurrection against the Government of a State and maintain, the supremacy of the law in the mode and to the extent of the authority vested in him by the Constitution and acts of Congress of the United States.

In the present case serious doubts of his lawful power to proceed in the manner indicated by you, having occurred to the mind of the President, he referred the question to the Attorney General for advisement, and the conclusions submitted by that officer have on full reflection been decided by the President to constitute insuperable obstacles to the actions now desired of the general government. The report of the Attorney General is enclosed for your information.

The President will not allow himself to believe that the prevalence of rash councils and lawless violence still continues in San Francisco. He confidently trusts that the Citizens of California, who have suffered themselves to be betrayed by whatever inducements, into violations of the public peace, of so dangerous a character, will already have resumed their obedience to the laws, and that hereafter instead of assuming to act independently of the constituted authority, they will, as good Citizens, cooperate with it in the earnest endeavor to secure a prompt, impartial and vigorous administration of justice, in the only way in which the life, property and rights of the people

can be protected effectually—that is, by faithful conformity with the Constitution and laws of the State.

I am, Sir, very respectfully

Your obedient Servant,

W. L. MARCY

They also enclosed the legal opinion of Caleb Cushing, the attorney-general, the original of which is also among the Neely Johnson papers but which is much too long to be copied here. The Attorney-General believed that the Governor should have had the legislature meet and ask for federal aid. Even under those circumstances he stated that he doubted the Federal Government's right to interfere. He hoped moreover that by the time the delegates returned to San Francisco, all the disturbance would have ended. The gist of the ruling is given in Bancroft's *Popular Tribunals*, Vol. II, pp. 362-63.

Upon hearing of the Government's refusal to aid the Governor, Kibbe wrote the following letter:

MORE FROM KIBBE⁶¹

Off. Qr. Mr. & Adj. Genl. Cala

San Francisco, Aug. 14, 1856

Sir:

I find by the papers that the general government declines taking steps in aid of our State Government until called upon by the legislature of the State. If this should prove to be true, we shall be compelled to rely upon our own exertions to reinstate the laws in San Francisco prior to the assembling of the legislature.

This I think should by all means be done and I think can be done with a certainty as soon as the new Sheriff is properly invested with his office. He will be able to execute both civil and criminal process of any Courts with such aid as a good sheriff could at this time command here. Scannell has no standing with this Community and can do nothing here. With some new man in his place on whom the people had confidence, with the aid of our forces I believe the Majesty of the laws, might again be maintained— This, rely upon it, is a very important matter and should receive all the attention you are able to give it.

I have little idea about the legal questions involved. Of course you are posted upon that subject. If what I have suggested could be accomplished great good could be done thereby—The V. C. seem elated at the news to-day, what will be done by them I cannot tell, tho' they have persisted in saying that they should disband and turn over their Arms to the State by the 20th of this month, let the news be what it might by the Steamer.

I am Sir,

His Excellency

J. Neely Johnson

Governor Cala

Sacramento

Your Obt. Servt

WM. C. KIBBE

Qr. Mr. & Adj. Genl. Cala.

The Vigilance Committee now considered that its work was done, and as the expense of maintaining the organization was tremendous its leaders wanted to disband. However, the hostility of the Governor made it inexpedient to disband completely; so the Committee merely adjourned and notified its members to hold themselves ready to mobilize at a moment's notice.

On August 18, in celebration of its successful régime, the Committee held a triumphant parade through the streets of San Francisco.

KIBBE ASKS FOR INSTRUCTIONS⁶²

Off. Qr Mr. & Adj't Gen'l Cal
San Francisco Aug 19. 1856.

Sir:

The great finale of the Vigilance Committee came off yesterday i.e. so they say, although they arrested some few persons yesterday who will probably soon be liberated—they will probably deliver up the Arms of the State in a few days, although some predict that they do not intend to do this at all—There is still some anxiety felt in regard to the Sherifffalty—

Strong has no hopes except at your hands, and if Beale was recognized or appointed by you, Scannell would not contest the Case at all, I am informed—If the arms are tendered shall they be received?

I should be glad to hear from you.

I have the honor to be

His Excellency

Your Excellency's Obt. Servt.

J. Neely Johnson

WM. C. KIBBE

Governor State of Cal.

Qr. Mr. & Adj't. Gen'l.

On August 20, just before leaving California for New York, William T. Coleman wrote to the Governor. How different are the sentiments expressed by the leader of the Vigilance Committee from those expressed by the newspapers of the day and also by most of the historians who have described this exciting incident in the history of San Francisco.

WILLIAM T. COLEMAN'S LETTER⁶³

San Francisco, August 20, 1856

Private.

My dear Johnson

I had intended visiting Sacramento City before I left, and most especially to see you & have a good long talk with you. We have for the past three months disagreed in the local politics of this place, but I feel assured that if you could have been really more correctly informed on the true state of things here, and the interest & feelings of those concerned in the late movements, you as an *individual* would have agreed with them:—but though we have disagreed, & might in any event have done so, yet I feel assured, &

always have, that you were honest in your sentiment, & have acted only the part of a man, & a gentleman, and in accordance with your duties as Governor. Entertaining these views & feelings, I have on all occasions & at all times so expressed myself, & must & will continue to do so. Now the Vigilance Committee have adjourned, & I trust never again to assemble; & let me ask you as a friend, that we each use our influence, as we have done, to allay all excitement, all bad feelings, all heart burnings, all bitterness—Let us bury the hatchet, & God grant that it may never again be raised—Let us all meet now as brothers having a common cause, & interest, in the weal of the State, & let the promotion of her welfare be our highest aim. As a friend and good fellow citizen let me greet you, & when I return, as I expect to in the spring, with my family, you may be assured there is no individual in the State whom I will greet more gladly than yourself.

If I can serve you in any way in New York, either privately or politically you know you can command me freely, & fully at all times, and the response will be prompt and happy & you can ever rely upon me as an old & true friend. Believe me to be

Truly Yours

His Excellency

J. Neely Johnson

Governor &c &c.

WM. T. COLEMAN

In the latter part of August, an Indian uprising in the northern part of the State caused the Governor and General Kibbe to make insistent demands upon the Vigilance Committee for the return of the weapons taken from the State Militia on June 21.

LETTERS REGARDING THE RETURN OF THE STATE'S ARMS⁶⁴

Off. Qr Mr & Adj't Genl Cal

San Francisco Aug 23. 1856

To the Executive Committee of Vigilance
San Francisco

Gentlemen: From a special messenger direct from the seat of our Indian War, I learn that the Northern frontier of this State is now infested with a large body of hostile Indians, who are constantly depredating upon the lives and property of our Citizens particularly of the County of Siskiyou, for whose protection, it is imminently necessary for the Executive of this State to send immediately into the field a force of State Troops properly equipped. And whereas it is reported that an armed force acting under your orders have forcibly seized and now have in their possession a quantity of arms and equipment belonging to the State by which the State is deprived of the means of arming her Citizens for their own protection, whose lives and property are at this time in imminent peril. I therefore in the name and for the people of

the State of California call upon you to forthwith deliver over to me the arms and equipment belonging to the State now said to be in your custody. An immediate reply to this communication is most respectfully and earnestly requested.

I am Gentlemen

Your Obt Servt

WM C KIBBE

Qr Mr & Adj't Genl. Cal

W C Kibbe Esq
Qr Mast Genl of
State of California

Executive Committee Chambers
San Francisco Aug 23. 1856

Sir

Your communication of this date has been received and I am directed to state to you that the Committee are now in session and ready to receive any communication from you.

I am sir

Respectfully

Your Obt Servt

33 SECRETARY

Off. Qr Mr & Adj't Genl Cala
San Francisco Aug. 25. 1856

Sir:

Yours of the 20th instant per Gen Colton is received—I addressed on Saturday last the enclosed letter to the Vigilance Committee the receipt of which was acknowledged by "33 Secretary" and this day a Committee consisting of Messrs Jessup, Ward & Daridge waited upon me in regard to the subject matter of the letter referred to, representing themselves as a delegation of the Ex Committee, and informed me that they could not deliver up the arms belonging to the State until your proclamation was withdrawn, and hostile demonstrations against them were discontinued especially those relative to the Charge of Piracy against Members of the Committee, this was necessary for their own personal safety,

They however stated to me that their military organization was disbanded and that they should continue their organization as before in other particulars That independent companies had organized who had armed themselves, intimating that these companies would be at all times in readiness to sustain the Committee if an emergency should arise—They have declined therefore at present to deliver up the arms of the State.—They will publish in a few days to the people an address, I will send to Santa Barbara by first oppor-

tunity for the arms of a volunteer company lately disbanded there, and furnish the same to Yreka at the earliest opportunity. I have the honor to be

Your Obt Servt

His Excellency

J. Neely Johnson

Governor State of Cala

WM C KIBBE

Qr Mr & Adj Genl Cal

Executive Department
Sacramento Cal
Aug 27th 1856

Sir:

Your letter of the 25th inst with copy of letter to the V. C. was duly received.

I would suggest the propriety of your return here *at once* with a view of bringing suit in our District Court for the recovery of the State arms. Ascertain as nearly as you can the number and description of those they have in possession—

Very Respectfully

To

Wm C Kibbe Esq.

Adjt & Quarter Master Genl

Cal Mil

San Francisco

Your Obdt Svt

J. NEELY JOHNSON

Off. Qr Mr & Adj Genl Cal
San Francisco Aug 28. 1856

You will report to me a complete Schedule of the arms accoutrements appendages and clothing taken from your Command by the Vigilance Committee on the 21st day of June 1856.

Col. J. R. West

Com'd'g 1st Infy Battalion

2nd Brigade 2nd Division

Militia

WM. C. KIBBE

Qr Mr & Adj Genl

State of California

San Francisco Aug 29. 1856.

Off. Qr. Mr. & Adj. Genl. Cal.

Sir:

I am collecting all the facts in regard to the taking of Arms of the State by the Vigilance Committee and shall be able to return on to-morrow or Monday next, with all the necessary data upon which to base a suit I think. Is the Attorney General in Sacramento? I suppose it will be necessary for him to

conduct the Case for the State. I have no doubt that a jury could be found here who would readily find the facts in regards to the taking, and it might be as well to bring the suit here, however if I hear nothing to the contrary I will return by Mondays Boat.

There is nothing new of importance here,

I have the honor to be

Your Obt Servt

His Excellency

J. Neely Johnson

Govr. Cal.

[WM. C. KIBBE]

Qr Mr & Adj't Genl Cal.

Off. Qr. Mr. & Adj't. Genl. Cal.

[Aug. 30, 1856.]

Sir:

I had an interview with Mr. Wallace the Attorney General this morning and mentioned the suit to be brought against the Vigilance Committee for the recovery of the State Arms as per your suggestion—He advises that the suit be brought in this County, Says there will be no trouble in getting a jury who will find the facts in the Case, and believes that the suit should be brought in this County by all means, and that he is ready to attend to it at any time, suggesting that I had better call upon the District Attorney to institute proceedings and he will be present and conduct the suit. I called upon District Attorney Byrne this morning and he is of the opinion that Mr. Wallace is the proper person to commence the suit, and if it were commenced by a District Attorney without authority from the Atty General that the Case would be thrown out of Court—

I will act in the Case precisely as you think best—Please give such directions as you deem proper. Mr. Wallace believes it would have a much better effect to have the Case tried here, than in any other County.

I am Sir Your Obt. Servt.

WM. C. KIBBE

To His Excellency

J. Neely Johnson

Governor Cal.

Qr. Mr. & Adj't Genl. Cal.

Executive Department

Sacramento Aug 31st 1856

Sir:

Your communication of yesterday is at hand. Sacramento being the seat of Government and the place for the transaction of the general duties of the different Depmts—is the proper place for the institution of the suit spoken of.

The suggestion of Mr Dist Atty Byrne that a suit brought by him at your instance without first the written directions of the Atty Genl, could on

the application of Defts, be dismissed is simply ridiculous. The suit will be directed by you as the legal custodian of State arms and you have the legal right to employ whomsoever you please to appear for the State. I regard his suggestion as a mere ruse to evade the labor and trouble—maybe the responsibility.

I hope therefore you will come up here and have the suit commenced on the return of the Atty Genl.

So far as the matter of *effect* to be had by the trial of the suit—one place or another is concerned—all the *effect* we need desire, is the procurement of the State arms—and that can be attained quite as certainly here as in San Francisco.

I am and have been for some days quite unwell therefore will write no more at present—

Very Respectfully

To

Your Obdt Svt

Wm C Kibbe Esq

J NEELY JOHNSON

Adjt & Quarter Master Genl

San Francisco

Off. Qr. Mr & Adjt Genl. Cal

San Francisco Sept 1st 1856

Sir:

Yours of yesterday is received. I shall comply with your suggestions on the return of the Atty. General—There is a Grand Jury empaneled in the U. S. Court upon the Piracy Case, and Members of the Committee are somewhat alarmed because some of the Jury are from the Counties up the Country, they think it strange that there are not a sufficient number of honest men in San Francisco to try this Case—they anticipate some trouble from the suit yet, before it is over.

Everything is quiet

I am Sir

To His Excellency

Your Obt Servt.

J. Neely Johnson

WM C KIBBE

Governor State of California.

Qr. Mr. & Adjt. Genl. Cal

Off. Qr. Mr. & Adjt Genl. Cal

San Francisco Sept 3d 1856

Sir:

The Grand Jury, of U S Circuit Court have this day found a true bill, for Piracy on the High Seas, against Durkee & Rand which has created considerable excitement here.

I was intending to have returned to Sacramento to-day or to-morrow but

I am summoned before this Grand Jury and shall not be able to get away.

I expect the Atty. General here in a day or two to attend to the Arms Case—

I am Sir

His Excellency

J. Neely Johnson

Governor State of Cal.

Your Obt. Servt.

Signed WM C. KIBBE

Qr. Mr. & Adj General Cal

Off. Qr. Mr. & Adj Genl. Cal.

San Francisco Sept 3d 1856.

Sir:

Will you have the kindness to forward to my address a Schedule of Arms etc purchased by you for the State which were seized by the Vigilance Committee on the 21st of June last. I desire to complete the Abstract of property belonging to the State forcibly taken by the Vigilance Committee before returning to Sacramento.—If you have not the Vouchers for the purchases made please inform me where they can be procured.

I am Sir

Your Obt. Servt.

Hon D. J. Terry

Sacramento Cal.

Signed WM C. KIBBE

Qr. Mr. & Adj Genl.

Off. Qr Mr & Adj Genl Cal

San Francisco Oct. 15, 1856

Sir

In furtherance of demanding the arms of the State from the Vigilance Committee by order of the Commander-in-chief as per your suggestion, I have the honor to request that you transmit Special Orders to me relative thereto. The Executive Committee hold a session on Friday next when the demand can be made.

I have the honor to be

To

Your mo Obt Servt

His Excellency

J. Neely Johnson

Governor State of Cal.

WM. C. KIBBE

Qr Mr & Adj Genl Cal.

Office Qr Mr & Adj General

State of California

San Francisco. Oct 15. 1856.

To the Executive Committee of Vigilance of San Francisco:

In the name and for the people of the State of California, I hereby demand that you surrender to me forthwith all and Sundry the Ordnance and Ordnance Stores and Clothing belonging to the State of California which were

forcibly and illegally taken from the proper agents of the State or otherwise by order of your Committee in the months of May & June last.

By order of His Excellency the Governor of California & Commander in chief of Militia thereof,

WILLIAM C KIBBE

Qr Mr & Adj Gen'l State of Cal.

P. S. An Abstract of the said Ordnance & Ordnance Stores is on file in my office.

Genl Kibbe

Qr Master Genl of the
State of California

Dr Sir

Executive Committee Chambers

San Francisco Oct 21, 1856

Your communication under date of Oct 17th was duly received and will receive proper consideration

I am Sir

Your Obt Servt

33 SECRETARY

The all absorbing question finally was, who would give in first—the Governor or the Vigilance Committee? The Committee would not give up the weapons until the Governor had withdrawn the proclamation of insurrection; The Governor would not withdraw the proclamation until the arms had been surrendered.

Finally General Sherman once more entered the controversy in an attempt to bring the impasse to an end. He wrote the Governor:

GENERAL SHERMAN'S LETTER AND TELEGRAM⁶⁵

San Francisco, Calif.

October 29, 1856.

Governor Johnson,

Dear Sir,

It is with extreme reluctance that I intrude myself again on your attention but an offer has just been submitted to me that I cannot well decline presenting to you, not as an advocate but simply as a mediator. I believe you declined to withdraw your Proclamation on the ground that the State arms are still in possession of the Vigilance Committee, who refuse to give them up. Two gentlemen of that Committee say that they will surrender to you the arms in question if you will simply say that they shall not be issued to any body of men in San Francisco before the Election, and also if you will withdraw the Proclamation. Doubting whether you would make any promise at all, an alternative proposition was made, viz. to surrender the arms to me

as a mutual friend, taking my word that they should not be issued before the election of the 4th proxo. and also that you would withdraw the Proclamation in question.

It occurs to me that you require, before you issue any state paper touching the Proclamation, that you should have before you a written document showing that the last act of resistance to the State had ceased, and therefore tho reluctant to mingle again in any public transaction, I am willing for the sake of peace and quiet to do this.

If tomorrow you will telegraph me your general consent to the above terms, I will proceed to receive and store in some safe place the Guns and arms in question, or even to ship them to Sacramento, giving my receipt at the time, which receipt could be forwarded to you as evidence that the State had regained possession of her property, and on that evidence you could base your withdrawal of Proclamation.

You could simply write to me that you would not call on me for the arms until after the Election, or give me a corresponding assurance in which way I would stand committed to them and you to me—in my estimation it is a mere quibble, and it is for you to determine whether the end aimed at justifies this roundabout way.

I am with much respect

Your friend & servant,

WM. T. SHERMAN

If you want to recall the Proclamation—Telegraph me, “Agreed. You receive the arms—I will recall the Proclamation. Keep charge of arms till after election.”

If you do not approve telegraph me to that effect.

CALIFORNIA STATE TELEGRAPH COMPANY,

Sacramento

San Francisco, 31st October 1856

Governor Johnson,

Will you recall the Proclamation on the unconditional surrender of the State arms? Answer to Telegraph.

W. T. SHERMAN.

Election day was November 4, 1856, and the Vigilance Committee was sick and tired of the quarrel with the Governor. To prevent any possibility of a question as to the legality of the November election due to the existence of a nominal state of insurrection in San Francisco, the Committee decided to return the weapons, and the Governor withdrew his proclamation.

JUDGE FREELON'S LETTER⁶⁶

San Francisco, November 3, 1856
County Court at Chambers.

To His Excellency J. Neely Johnson
Gov. State of California

Sir,

At the request of Capt. W. T. Sherman I am happy to state to your Excellency, that, understanding the State arms heretofore in the possession of the Vigilance Committee of San Francisco will this day be delivered up to the proper authorities, in that event it is my opinion that the Civil power and authority of the City and County of San Francisco is amply sufficient to enable the officers of the law to execute and enforce any civil or criminal process which may be lawfully issued.

I am Respectfully,

Your Obt Servant

T. W. FREELON

County Judge

A number of telegrams were sent the same day, clearing up the affair; and Kibbe wrote to Johnson that the arms had been delivered to him.

THE END OF THE CONTROVERSY⁶⁷

TELEGRAM

Nov. 3, 1856

To Gen. Sherman of S. F.

If Freelon writes letter, send per express and telegraph me.

J. NEELY JOHNSON

TELEGRAM

Nov. 3, 1856

To Gen. W. C. Kibbe

When you receive them telegraph me. Will write you fully.

J. NEELY JOHNSON

TELEGRAM

November 3rd, 1856

All right: The withdrawal Proclamation will be issued in one hour and Telegraphed to San Francisco.

J. NEELY JOHNSON

To R. M. Jessup &
Julius David
S. F.

Off. Qr. Mr & Adj't Genl
San Francisco, Nov. 3, 1856

Sir:

The Vigilance Committee have surrendered some 32 Cases of State Arms & accoutrements this day to me, and have agreed to supply any deficiency in quantity which may occur—if you exact it. These arms I have shipped to Sacramento in accordance with your instructions—The surrendering of the State Arms at this time is a tacit acknowledgment by the Committee that this County has been in a state of insurrection since the issuance of your proclamation. Consequently an important point has been gained.

The Cannon will be forwarded as soon as the Excitement is allayed. In haste

W. C. KIBBE

Qr Mr & Adj't Genl Cal.

Thereupon the Governor issued a proclamation declaring the state of insurrection in San Francisco at an end.

GOVERNOR JOHNSON REVOKES HIS PROCLAMATION⁶⁸

Executive Department
Sacramento City, Cal.
Novr 3d, 1856

Whereas on the 3d day of June 1856 satisfactory information having been received by me that combinations for the purpose of resisting the execution of legal process by force, existed in the County of San Francisco in this State and that an unlawful organization styling themselves the Vigilance Committee had resisted by force the execution of criminal process and the power of said County had been exhausted and was not sufficient to enable the Sheriff of said County to execute such process;—I did, in the performance of my duty, and the exercise of the power and authority vested in me by the Constitution and Laws, as the Governor of the State of California on the aforesaid day issue a Proclamation declaring said County of San Francisco in a state of Insurrection;—and whereas I have this day received satisfactory information that the causes which required the issuance of the same, no longer exist; therefore I do revoke and withdraw said Proclamation.

J. NEELY JOHNSON

CONCLUSION

And thus the activities of the Vigilance Committee of 1856 came to an end and San Francisco entered upon a long period of honest and efficient government. For years its citizens could boast that their city enjoyed the best government in its history.

From the struggle the members of the Committee emerged as the heroes of California, but Governor Johnson, in spite of an elaborate message to the legislature, explaining and justifying his conduct, remained so completely discredited that he retired from politics at the end of his term and shortly afterward removed to Nevada.

The Governor's friends—Sherman, Kibbe and others—were sure that Johnson's course of action would be vindicated by time, once the fierce partisan turmoil in San Francisco subsided. But their hopes were doomed to disappointment, for the Committee's spectacular success and the odious political bedfellows that the Governor had been forced to accept in his attempt to prevent the extra-legal administration of justice resulted in his name becoming a byword for "wishy-washy" politics.

Since 1856, many leaders, some selfish and irresponsible, some inspired by lofty motives, have used the designation "Vigilance Committee to incite otherwise decent law-abiding men to commit acts not far removed from plain, ordinary mob violence. Great as may have been the need for the Committee of 1856, many students of history are forced to concede that the Governor was right in his demand that it disperse immediately upon the accomplishment of its first objective: the hanging of Casey and Cora.

The lapse of eighty years permits us to view the actions and results of the Vigilance Committee of 1856 in proper perspective. What might be justified by the necessities of that tumultuous period of San Francisco's life and the careful organization of the popular uprising cannot be urged to sanctify the doings of irresponsible rabbles.

The voluntary disbanding of the Vigilance Committee of 1856 showed that the high-minded citizens composing it realized that to continue in control of affairs would destroy men's faith in popular government. They well knew that the drastic remedy they had applied to eradicate evil conditions in San Francisco could have no permanent basis in our institutions.

We must conclude, therefore, that lawlessness, organized or otherwise, can have no place in the administration of justice in America, and that it would be entirely absent if the machinery of the courts ran swiftly and with impartial certainty at all times.

NOTES

58. The letters of August 7 and 8 are from the Vigilance Committee letters, State Library, Sacramento; that of August 13, from the original in the Johnson papers.

59. Johnson papers.

60. Original in Johnson's papers; also found in Bancroft's *Popular Tribunals*, Vol. II, pp. 361-62.

61. Original in Johnson papers.

62. Vigilance Committee letters, State Library, Sacramento.

63. Original in Johnson papers.

64. All from the Vigilance Committee letters, State Library, Sacramento, except Kibbe's of October 15 to Johnson, which is from the original in the Johnson papers.

65. Originals in Johnson papers.

66. *Ibid.*

67. *Ibid.*

68. *Ibid.*

GENEALOGY OF THE FAMILY OF GOVERNOR J. NEELY JOHNSON

As given to John N. Johnson by his Grandfather,

Alexander Johnson, in 1841, and copied by his

brother, Cadet William N. Johnson of U. S.

M. A., West Point, N. Y., at Evansville,

Ind., July 25, 1848.

My G. G. G. Father James Johnson was an Englishman by birth, was born in 1672; He emigrated to America in 1694, & settled in or near, Port Tobacco, Maryland. He was superintendent of Genl. Smallwoods estate. He died at the advanced age of 90 years without ever having a days sickness in his life. He left three children two sons, Robert and Thomas & a daughter, Betsy. His son Robert died at about 25 years of age. Thomas I shall speak of hereafter. James Johnson had a brother John Johnson who came from England with him. He had seven sons all of whom distinguished themselves in the Revolutionary War. One of his sons John was killed in battle. My G. G. Grand Father Thomas was born in Maryland in & he was married in Maryland to Miss Mary Nudon & he removed to Prince Williams Co. Virginia. He had four sons & 4 daughters, all of whom lived to be of advanced ages. One of his sons, John was an officer in Gen'l Lees light horse co. in the Revolutionary War. He had five sons Joseph, John, Franklin, Thomas, and Scarlet [?] & a daughter Delilah. He moved to Indiana 1818.

My G. Grand Father's name was James. He served in the Rev. War. He emigrated to Tenn. in 1796 or 97, & in a year or two moved to Barren Co. Ky. He had ten children 9 of whom lived to be grown, five sons Alex., Thos., Barton, James & Geo. & 4 daughters, Sarah, Delilah, Elizabeth & Milly. He moved to Gibson Co. Ind. with six of his children Alex, Thos. & Geo. the latter died in 1815. Betsy, Milly & Delilah, Sarah married a man by the name of Roton who moved to South Carolina & died there, & left two children John & Polly. Jas. Johnson was a minister in the Cumberland Pres. Church & a physician. He died at Smithland Ky. in 1838. He left ten children: Felix who died in 1840 was a Physician, John a Physician, Presly, Robert & Jas. a lawyer, Emily by his first wife, & Wm., Martha, Alfred & Richard by his second wife. He was married to the third wife, but survived his marriage but a short time. My Grand-Fathers name is Alexander. He had three sons, Thos., Wm., & Jas., & 4 daughters Prudence who married Marcus Sherwood of Evansville, Francis who married A. M. Philps of Evansville, Marcy who married a Wm. Dougherty of Evansville & Jane who married R. C. Sherwood of Evansville. Wm. died in Evansville. My Fathers name is Thomas. Of my G. G. Grand Father's brothers I can not remember [all] their names John, Stephen, Richard, James. Richard lived in Prince Edward Co. Va. James lived in Dunefries [Dumfries?] Prince Wm. Co. Va. & was a U. S. Officer.

CONTINUATION OF THE ANNALS OF SAN FRANCISCO*

DECEMBER 5, 1854, TO JUNE 3, 1855

December 5. A large sale of real estate was made by the Sheriff, under a judgment obtained in the suit of C. K. Garrison *vs.* Elias L. Baird, Charles Hopkins and others. The property consisted of two blocks, one bounded south by Washington, west by Davis, north by Oregon, and east by Drumm; the other south by Washington, west by Drumm, north by Oregon, and east by East Street. The total amount of sales was \$209,000, that of the judgment being \$199,000. The report of the City Treasurer for the year ending November 30, 1854, showed the total amount of receipts to have been \$199,241.27, and the disbursements \$179,678.94.

December 7. The Nicaragua S. S. *Cortez* arrived in eleven days from San Juan, bringing 245 passengers, and among other important news an account of the expulsion from France and insulting treatment of Mr. Soulé, our Minister to Spain.

December 8. Judge Ogier, of the U. S. District Court, confirmed the claim to the "Pulgas Rancho," with the exception of that portion known as the "Cañada de Raymundo"; that is, from the Bay up San Mateo Creek; one league westward, to the summit of the hills on the east side of Cañada de Raymundo; and from the San Mateo Creek, parallel with the Bay, to San Francisquito Creek and the Peralta grant.

December 9. In the U. S. District Court, Judge Ogier granted an injunction restraining Palmer, Cook & Co. from collecting the rents and profits in the Central Government Reserve, bounded by Pacific, Jackson and Sansome streets and deep water. During the pendency of that suit, brought to foreclose the leases granted by Captain Keyes to Steinberger and Shillaber, and assigned to Palmer, Cook & Co., on the ground of non-payment of rent, Mr. C. J. Brenham was appointed receiver. About sixty Mexicans and Negroes were arrested while holding a masquerade ball in a dance house on Kearny Street. The steamship *Sierra Nevada* left for San Juan with treasure to the value of \$677,220.00.

December 10. Early in the morning quite a thick frost was observed on the planks of the streets. The steamer *New World* struck a snag about nine miles below Sacramento, on the Yolo side of the river, which stove a hole in her bow, causing her to fill rapidly. She was run upon shore, and her passengers and most of her freight were taken off by the *Bragdon* and carried to Sacramento. The damage did not prove to be serious. The *Queen City* also ran aground, about forty-five miles below.

December 11. Mr. and Mrs. Stark commenced an engagement at the American with the tragedy of *Othello*. They were supported by Mr. Neafie as Iago, and Mrs. Burrill as Desdemona. A shock of an earthquake was felt at the Mission Dolores about four o'clock in the morning. Of the Mexicans and Negroes arrested in the dance house, the men were fined \$5 each, and the women set free. The pews of the Bush Street Baptist Church were sold at auction for prices ranging from \$110 to \$220. Mr. T. D. Green was elected City Sexton by the Common Council. The San Francisco Blues had a grand ball at the Metropolitan Theater.

December 12. One of the largest mass meetings that ever gathered together in San Francisco was held at Musical Hall to discuss the subject of the Pacific Railroad. His Honor, S. P. Webb, presided, supported by Thomas O. Larkin, Esq., and Dr. O. M.

*This portion of the "Continuation of the Annals of San Francisco" is adapted from the "Monthly Summary of Events" in the *Pioneer*, Vols. III and IV.

Wozencraft, as Vice-Presidents. The meeting was addressed by Colonel Baker, Frederick Billings, Esq., Dr. Wozencraft, and others, and after passing a series of resolutions, adjourned to meet on the 20th of December. Mr. Napier Lothian died very suddenly while conducting the orchestra at the ball of the San Francisco Blues. He had been for a long time leader of the Union Band, and was the founder of the first military band organized in the city. Signor Bassani, the leader of the Italian Opera Troupe, had a benefit at the Metropolitan Theater.

December 13. The body of Mr. Napier Lothian was attended to the grave by the San Francisco Blues and a number of his professional friends. The new steamboat *Surprise*, intended for the Sacramento river trade, arrived from New York via Panama, under the command of Captain Edgar Wakeman.

December 14. The P. M. S. *Golden Age* arrived, bringing news of the terrible shipwreck of the ship *New Era* near Shark River, on the Jersey shore, with the loss of 250 lives; and that Louis Napoleon had withdrawn his prohibition of Mr. Soulé's passing through France. A statement published in the *State Journal* showed the number of licenses for foreign miners, issued in the State during the year 1854, to be 109,140, yielding a revenue of \$412,500, of which the State receives one-half, the remainder being divided among the respective counties in which they were collected.

December 15. A statement in the *Herald* exhibited the Civil Debt of the State of California to have been, on the 1st of July, 1854, \$2,588,666.07, and the War Debt at the same date, \$990,483.12.

December 17. A policeman named Harry Kerrison was stabbed by a woman named Elizabeth Sullivan, *alias* Howard. An ordinance was passed admitting Peterson Engine Company, No. 15, into the Fire Department.

December 19. An agreement to have the question of the permanent location of the State Capital decided by the Supreme Court in Chambers was sent up to Benicia. Jim Peeler, the great Southern walker, accomplished at Mokelumne Hill the unparalleled feat of walking 102 consecutive hours. Mr. John Hogan, Marshal of Oakland, decamped privately with from ten to fifteen thousand dollars of that city's funds. A meeting of the Emigrant Road Commission was held, and after passing several resolutions, adjourned to the 2nd inst.

December 20. The Nicaragua Company's S. S. *Uncle Sam* arrived, bringing news of the definite settlement of the Soulé affair, and of the terrible battle of Inkerman on the 5th of November, in which 13,000 Russians and 5,000 of the Allied troops were killed and wounded. Among her passengers were the Rev. W. A. Scott, with his wife, four children, and four servants. A number of Chinese women were convicted in the Court of Sessions of keeping brothel houses, under an indictment from the Grand Jury, whose object was to have them removed from the city as a nuisance.

December 22. The Rincon Point Public School, under the superintendence of Mr. J. Swett, had its semi-annual examination. Many of the pupils, in the eleucutionary and other exercises which had been prepared for the occasion, acquitted themselves to the satisfaction of their parents and teacher, and at the close the latter received from them the handome testimonial of a gold watch, which he acknowledged in a neat and appropriate speech. The New England Society, by a banquet at Wilson's Exchange, celebrated the 234th anniversary of the landing of the Pilgrims at Plymouth Rock. Some of the most eminent citizens, with many members of the press, were present. The young ladies of the Powell Street Academy held a fair in Burgoyne's Building, chiefly of articles of their own manufacture; the proceeds of the sale were to be devoted to the Protestant Orphan Asylum.

December 23. The choice of pews in St. Mary's Cathedral, corner of Dupont and California streets, was sold at auction in the church. The premiums ranged from \$150 to \$175. A large audience assisted at the complimentary benefit of the popular manageress of the Metropolitan Theater. The performance passed off pleasantly, and the occasion was further distinguished by a poetical address which was gracefully delivered by Mr. Mark Leman. The new Hall of the Turn-Verein Society, situated on the corner of Powell and Bush streets, was dedicated with appropriate ceremonies. The suit of B. F. Latimer and Wife *vs.* The City, brought to recover the sum of \$8,482.25 for a lot of ground situated on Merchant Street, corner of Montgomery, was decided against the plaintiffs. E. F. Norton was elected by the Board of Aldermen, Collector of Street Assessments. An ordinance providing for the registry of deaths was passed; also one to increase the pay of the police, making the salary of the captain \$250 a month, the assistants \$225, and that of the officers \$175.

December 24. The handsome four-story building and banking house of Dr. A. S. Wright was opened to the inspection of visitors; and those who availed themselves of the opportunity to examine the edifice were not only delighted by the attractive appearance of its lofty rooms and the extensive view afforded from its cupola, but were courteously received and hospitably entertained by its gentlemanly and enterprising proprietor. A young man named Lee, who escaped sometime since from the Station House, was arrested by Captain McDonald with a carpetbag completely filled with various articles of jewelry. The mechanics had an adjourned meeting to consider the means of establishing a library. A proposition to join the Mercantile Library Association was discussed and was concurred in by many, but the meeting adjourned before coming to any action. St. Mary's Cathedral was opened for divine services for the first time.

December 25. Christmas Day was celebrated by the usual festivities and religious ceremonies. The jewelry store of Victor Lang, situated on Dupont Street, near Jackson, was robbed of various articles of the value of \$2,300. The Turn-Vereins gave a grand ball in their new hall. Two pedestrians, named Kennovan and Phillips, commenced walking a match against each other; he who held out the longest, was to be declared the victor. Major Roman arrived in the steamship *Southerner*, having resigned his office as consul at Guaymas.

December 26. The State Educational Convention commenced its session in the Union Street Schoolhouse.

December 27. The Supreme Court decided that Sacramento should be the capital of the State. A number of convicts overpowered their guard and succeeded in making their escape from the State Prison at Point San Quentin.

December 28. By a statement in the *Herald*, the total yield of the mines for the year 1854 was shown to be \$49,619,821.85, and for the four years from the 1st of January, 1851, \$186,684,088. The product of the Almaden mines (quicksilver) was 1,449,000 pounds during the year 1854, amounting in value, at the rate of 50 cents per pound, to \$724,500; during the year 1853, 18,800 flasks, or 1,410,000 pounds; value \$683,189. The number of vessels entered at the Custom House from the 1st of January to the 26th of December, 1854, was, from domestic ports, 261, or 215,822 tons; 12 have been sold by the marshal, the proceeds amounting to \$166,000.00; from foreign ports, 356 vessels, or 191,663 tons—making the total number of those arriving from all quarters, 617, with an aggregate tonnage of 407,485. In the year 1853, the total number of arrivals was 862, with a tonnage of 413,979; showing a decrease during the present year of 245 vessels, but only 6,494 tons.

December 29. Statements in the *Herald* showed the total number of passengers arrived during the past year to have been 47,730, and of those departed 24,477—a net

gain of only 23,253, of which a large proportion consists of Chinese. The revenue cutter *Polk* was sold at public auction by Messrs. Smiley, Yerkes & Co. for \$3,500 cash. Daniel Gibb, Esq., was the purchaser. John Welch, "Scottie," and others of the escaped convicts, were recaptured by the police. The opinion of Judge Solomon Heydenfeldt, dissenting from his associates, regarding the location of the capital of the State, was published in the papers.

December 30. Judge John Satterlee denied the application of a Chinaman to be admitted to citizenship, on the ground that he did not belong to the Caucasian race. Officers Hampton North and J. Nugent returned from a pursuit of the escaped convicts. They proceeded as far as San Pablo Bay, but though they overtook a party with Bill Powers at their head, the latter succeeded in effecting their escape at that point in a sloop.

December 31. By a statement in the *Herald*, the number of brick buildings in the city at this date is 638, whose value is \$18,618,750. The steamship *Sonora*, on her downward trip, was robbed of \$27,000. The carpenter and boatswain were arrested on suspicion.

January 1. Duties collected at the Custom House from the 1st of January to the 29th of December, 1854, were \$1,461,160.31; for 1853, \$2,652,208.59, a falling off of \$1,191,048.28. "Jimmy from Town," one of the escaped convicts, arrived in the *Goliath* and was recommitted to prison. The Legislature commenced its session. A terrible storm visited the city and did a great deal of damage.

January 2. The U. S. Land Commission, during the year 1854, disposed of 330 cases, of which 224 were confirmed and 106 rejected; the total number of acres confirmed was 3,064,195, and rejected, 3,692,368. The schooner *Pilgrim* arrived, bringing two chests containing \$34,000 recovered from the *Yankee Blade*.

January 3. A man named Philips accomplished the feat of walking 104 consecutive hours. Mr. William W. Stow, of Santa Cruz, was elected speaker of the Assembly.

January 4. H. B. M. frigate *Pique* arrived, fourteen days from the Sandwich Islands, bringing news of the death of King Kamehameha III on the 15th of December, and of the accession of Prince Liholiho as Kahemaheha IV. I. C. Woods, Esq., was chosen President of the Atlantic and Pacific Railroad Company; Samuel J. Hensley, Vice-President; Captain C. P. Patterson, Treasurer; and Sherman Day, Secretary. The Board of County Supervisors passed a resolution authorizing the committee to advertise for proposals for the construction of the House of Refuge at a cost not exceeding \$30,000.

January 5. Henry Vaughn and John Nichols were examined before Commissioner Schell, of the U. S. District Court, on an alleged robbery of \$27,000 on board the steamer *Sonora* and were discharged. Six of the escaped convicts were captured near San Jose.

January 7. The French corvette *La Moselle* arrived from Tahiti, having on board the Governor of the Society Islands, Commodore Page. She also brought news that the barque *American*, having on board Henry Meiggs and family, had arrived at Tahiti and sailed November 21 for parts unknown.

January 8. Five of the recaptured convicts made their escape from the jail at San Jose. News was received that Santa Anna had been almost unanimously reëlected President of Mexico.

January 9. The Nicaragua steamship *Uncle Sam* left for San Juan, conveying treasure to the value of \$642,000.

January 11. The Board of County Supervisors passed a resolution vacating the room occupied by the Law Library, and awarded the same to the use of the Board of Delegates of the Fire Department; Mr. William B. Olds, the proprietor of the Library, refused to vacate the room and procured an injunction. A letter was published from one of the members of the Cocos Island Expedition which expressed great hopes of being able to obtain the treasure. The opening of the New Merchants' Exchange was celebrated by a large assemblage of merchants and an appropriate festivity. An important case which had been on trial for nine days before the Fourth District Court, involving the question whether a neglect to improve a lot caused a forfeiture of the grant, as against a subsequent grantee who had improved and remained in possession, was decided in the affirmative.

January 12. Mr. Willard Farwell, of the Assembly, introduced a bill for "An Act to provide for the survey and construction of a Wagon Road from the Sacramento Valley to the Eastern Boundary of the State."

January 14. The new Calvary Presbyterian Church, on Bush Street, under the pastoral charge of Dr. W. A. Scott, was consecrated.

January 15. A new local burlesque called the *Lady Killer of San Francisco*, written by Mr. Simmonds, was brought out with great success at the American. The steamer *Goliab* arrived from San Diego, bringing news of the hanging, by the people at Los Angeles, of Brown and Alvitre for the murder of a man named Clifford; also, of a man named Johnson by the "King" boys. Mr. George Pen Johnston, of San Francisco, introduced a bill for "An Act to Fund the Debt of San Francisco County." The matter of the Law Library being brought before the Fourth District Court, Judge Delos Lake decided against Mr. Olds, and the latter made preparations to remove.

January 16. News was received of the loss of the steamship *Southerner*, about sixty miles to the southward of Cape Flattery while on her passage down from Columbia. The steamship *Sonora* left for Panama, carrying treasure to the value of \$1,430,389.

January 17. The Legislature commenced balloting for United States Senator; the principal candidates were William M. Gwin, P. L. Edwards, J. W. McCorkle and David C. Broderick.

January 18. Mr. E. Gould Buffum introduced a bill to increase the jurisdiction of justices of the peace in the City and County of San Francisco, in civil cases, to all claims amounting to \$500. By order of the California Land Commissioners, a sale was made of the State's interest in a large amount of water property, the proceeds of which were \$23,479. The Mercantile Library Association elected officers for the ensuing year: for President, Henry M. Hall; Vice-President, W. H. Stevens; Corresponding Secretary, F. A. Woodworth; Recording Secretary, J. H. Gardner; Treasurer, Spear Riddle; and nine Directors.

January 19. Joseph Heslep, the acting Treasurer of San Joaquin County, was brutally murdered by a man named Griffith, and his office was robbed of all the money it contained, with the exception of about \$2,506. The murderer was soon captured and hanged by the people.

January 20. The seat of Mr. E. R. Galvin, Assemblyman from Tuolumne County, contested by Mr. Samuel McCurdy, was declared vacant, and the contestants referred to their constituents. The corner-stone of the new Custom House was laid with appropriate ceremonies.

January 22. John Tabor, who shot Joseph Mansfield of the San Joaquin *Republican* in June last, was sentenced to be hanged on the 16th day of March. Wilson and Mathews, charged with feloniously taking \$34,000 of the lost treasure of the *Yankee Blade*, and who had been a long time under examination before Commissioner Schell, were discharged.

January 23. The Governor appointed John G. McNair, Judge of Sonoma County, in place of F. Shattuck, resigned.

January 24. The steamship *Sierra Nevada* left for San Juan, carrying treasure to the value of \$533,889. A German named Oldman was shot by Mr. Rodman Backus, of Wells, Fargo & Co.'s Express. That portion of Merchant Street known as the Latimer claim was fenced in, Judge Edward Norton having decided that there was no evidence that the city had accepted the property.

January 26. Captain Randall, of the *Yankee Blade*, charged with taking a quantity of gold dust from the wreck, was examined before Commissioner Schell and discharged.

January 27. A fire which broke out in a stable on First Street opposite Jessie, communicating to the Clipper Flouring Mills and other buildings adjoining it, destroyed property to the value of \$10,000. Mr. Thomas Murray, a brave and efficient fireman of Company No. 11, received a severe injury which resulted in his death. The steamboat *Pearl* from Marysville, just as she passed the conflux of the Sacramento and American rivers, burst her boiler and destroyed the lives of from fifty to sixty human beings. The boat itself was a complete wreck.

January 28. The remains of the fireman, Thomas Murray, who lost his life at the late fire, were attended to the tomb by a long procession of his brother firemen.

January 29. Mr. Leach had a benefit at the Metropolitan Theater, on which occasion he was presented with a handsome service of silver as a token of esteem by his many friends.

January 30. Two men, named Robert Parker and George Sheldon, were arrested in Oakland for horse stealing.

January 31. George Sheldon was hanged by the people of Oakland, and Parker set at liberty. A notorious desperado named William Smith was arrested by the police on his return to this country after an absence of three years.

February 2. A bill was passed giving each member of the Legislature \$1,000 cash. The Grand Jury presented an indictment against C. D. Carter and C. K. Garrison for embezzlement of \$75,000 in goods and chattels belonging to the city, which they held as trustees; also, against Smyth Clark on the same count; also, against Henry Meiggs for forging to a note of \$15,000 the name of Wm. Neely Thompson & Co. A young man named McClure, while stopping at Wilson's Exchange, was assaulted and cowhided for his supposed share, as the people's sheriff, in the hanging of Johnson at Iowa Hill; the persons who attacked him were a brother of the unfortunate man and a number of his friends; the affair made a great excitement.

February 6. News arrived, by the brig *Susan Abigail* from the Sandwich Islands, of the funeral of the late King, and of the crowning and installation of Kamehameha IV. In the case of C. K. Garrison and Charles D. Carter, indicted for converting to their own use \$75,000 of the city's money, a *nolle prosequi* was entered.

February 9. The U. S. revenue cutter *Jefferson Davis* arrived from Puget Sound. The Nicaragua Co.'s steamship *Cortez* sailed for San Juan with treasure to the value of \$621,059.

February 10. A number of merchants met at the new Exchange and fixed the hours at meeting on 'change from half-past twelve to half-past one o'clock.

February 11. The new Germania Society gave their first concert at the Farmer's Hall.

February 12. A new play called *The Daughter's Vow*, written by M. M. Noah, Esq., was brought out at the American. The steamer *Goliath* sailed with a large number of passengers en route for the Kern River diggings.

February 13. The Fourth Anniversary of the San Francisco Orphan Asylum was celebrated with appropriate ceremonies.

February 14. The bill for an Act to Fund the Debt of the State, as exhibited in Controller's warrants now outstanding, passed the Senate.

February 15. The Board of Aldermen passed an Ordinance to Fund the Floating Debt of San Francisco, amounting on the first of January last to \$1,562,391, the loan to be taken at twenty years, at an annual interest of eight per cent., payable in New York, and the principal in San Francisco.

February 16. The P. M. S. S. *Golden Age* left for Panama, carrying treasure to the value of \$1,287,364.57. The first floor of a building south of the *Herald* office fell through with a crash, injuring a quantity of goods which were stored upon it. The accident was caused by a species of wood-ants, which had perforated the beams to the depth of two or three inches. The Electoral Convention, having balloted for U. S. Senator many days in vain, was adjourned *sine die*. The new telegraph line connecting Stockton, Jamestown and Columbia was completed. The day was celebrated by the Chinese as the first day of their new year.

February 17. The P. M. S. S. *Oregon* arrived, bringing news of the failure of Messrs. Page & Bacon, of St. Louis. This intelligence caused a "run" upon their house in this city, and during the day the excitement was intense. It was said that the suspension of the house was but temporary. The St. Charles Hotel, situated on the corner of Davis and Washington streets, and a portion of Hillman's Hotel adjoining were consumed by fire; loss \$10,000.

February 18. A bill was introduced into the Legislature, claiming that the Public Lands in the State belong to California and not to the United States. The brig *Sophie*, lying at Stuart Street Wharf, was burglariously entered and robbed of \$1,500 and various articles of value.

February 20. The first number of a new German paper, called the *San Francisco Journal* and edited by Mr. Julius Froebel, was issued. A fire broke out at Nevada, destroying property to the value of \$50,000.

February 21. A destructive fire raged at Stockton and consumed property to the value of \$50,000.

February 22. The Birthday of Washington was celebrated by the entire Fire Department, who marched in procession through the streets. All the fire companies were dressed in full uniform and their engines tastefully decorated. They were accompanied by fine bands of music. The procession was preceded by carriages bearing General John E. Wool and Staff, Lieutenant-Governor Samuel Purdy, and other distinguished persons. After marching through the principal streets, it proceeded to the Metropolitan Theater, where Colonel E. D. Baker read a poem written by Frank Soulé, Esq., for the occasion, and the Department was addressed by Major General Wool, Mayor S. P. Webb, and others. The banking house of Page, Bacon & Co. suspended payment. The Court House of San Leandro, valued at \$4,500, was burned to the ground.

February 23. The suspension of Page, Bacon & Co. on the day previous caused an intense excitement and a run on the other banks in the city. Adams & Co., Wells, Fargo & Co., Robinson & Co., and A. S. Wright's Miners' Exchange Bank closed. Lucas, Turner & Co. had a severe run, but remained unshaken. Drexel, Sather & Church, and B. Davidson met the attack with proper resistance and survived. Palmer, Cook & Co., Tallant & Wilde, and Sanders & Brenham had a slight run, which interfered but little with their ordinary business.

February 24. Henry Haight, Esq., tendered his resignation as President of the Board of Assistant Aldermen. Assistant Alderman John C. Maynard was elected to fill his place. Assistant Alderman John Perry resigned as a member of the Board. The sale of City property for the payment of State and County taxes, advertised to take place to-day, was restrained by an injunction issued from the Superior Court, upon the

ground that the assessment roll upon which the taxes were based was not properly made out. The *America* arrived from Los Angeles, confirming the favorable news which had been received of the Kern River gold mines.

February 25. The creditors of Messrs. Page, Bacon & Co. had a meeting in the new banking house of that firm, when a statement of its affairs was presented to them, and a proposition that if \$500,000 of its liabilities was extended for two, four, six and eight months, at one per cent., the house could resume payment. The proposition was received with enthusiasm by those present, and a bond entered into by a number of citizens to the amount of \$1,500,000, guaranteeing the ultimate payment of every sum that should be extended in accordance with such proposition. Henry M. Naglee was appointed receiver in the house of Wells, Fargo & Co., and A. A. Cohen in that of Adams & Co.

February 26. The steamship *Uncle Sam* left, carrying treasure to the value of \$92,322. Adams & Co. published a circular, proposing to their creditors that they should be allowed to go on, provided they paid twenty-five per cent. on all claims within thirty days from date, and the balance as fast as the receiver could declare the dividends. Mr. Farwell introduced a Bill in the Legislature, providing for the construction of a plank road from the intersection of Bush and Larkin streets to the Pacific Ocean, either to the Seal Rock House or the Beach House.

February 28. A meeting of the depositors and creditors of Robinson & Co. was held at the San Francisco Hall. That gentleman made a statement that if he were allowed time, he might be able to pay 37½ cents on the dollar, which was not at all satisfactory. The meeting was very disorderly. A committee was appointed to examine the books of the concern and report thereon. By a statement in the *California Chronicle* it appeared that the Mint had issued during the month of February, \$1,375,000 in double eagles and \$200,000 in bars.

March 1. The P. M. S. S. *Golden Gate* left for Panama, carrying only \$391,270.17. The members of the Mechanics' Institute met in the rooms of the Board of Aldermen and adopted a constitution. The express of Adams & Co. stopped. The employees of the house formed an association to do business on their own account, under the name of the Pacific Express; and James King of Wm. and H. Reed, Esq., formerly connected with Adams & Co., started a new bank, under the name of James King of Wm. & Co. The *Sacramento Statesman* was sold to P. Dunlap, Esq. The sailors in port struck for wages and caused a great excitement about the wharves.

March 2. The celebrated actress, Miss Davenport, arrived by the *Sonora*. The steamship *America* arrived from Los Angeles, bringing still more favorable news of the Kern River mines.

March 3. The steamboat *Antelope* made the quickest trip from Sacramento on record, being five hours and fifty-six minutes. The statement of Dr. S. A. Wright, published in the *Herald*, showed an excess of his assets over his liabilities to be \$41,020.78.

March 4. The vault of the banking and express office of Adams & Co. at Sonora was broken open by a mob, and about \$45,000 taken out, which was distributed by a committee. Five Mormon converts were baptised on North Beach in the presence of five hundred persons. The creditors of Messrs. Page, Bacon & Co. in Sacramento had a meeting at Jones' Hotel. It was addressed by Messrs. Page and Crockett, and a proposition for an extension was presented, which was signed by a number of those present. By a decision of Judge Norton, Messrs. Gordon & Steen were exempted from liability for damages by the explosion of the steamboat *Secretary*.

March 5. General James Allen, editor of the Marysville *Herald*, was elected Mayor of Marysville.

March 7. The depositors of the Miners' Saving Bank had a meeting in which they agreed to submit a proposition to Dr. Wright, permitting him to resume business on condition that he agree to pay twenty-five per cent. on his deposits at the expiration of every succeeding two months until the whole shall be paid. A mandamus, issued from the Supreme Court, commanding Judge D. O. Shattuck to revoke an order made by him transferring a case from his court to the U. S. District Court, was presented, which he refused to obey. Judge Norton decided that Controller's warrants were not evidences of indebtedness, and third parties could not recover upon them against the city unless the original audited account, upon which the warrants were drawn, were also assigned.

March 8. Governor John Bigler granted an unconditional pardon to John Tabor, of Stockton, who had been convicted and sentenced to be executed for the killing of Mansfield. Mozart's grand opera *Don Giovanni* was brought out at the Metropolitan, with the full cast of the Italian troupe, Madame Anna Bishop, and Madame Barili Thorn appearing at the same time.

March 12. The semi-annual message of the Mayor, showing the condition of the affairs of the city, was presented to the Common Council. It stated the total amounts of warrants drawn upon the various department funds, from the 1st of July, 1854, to the 1st of March, 1855, to be \$1,191,583.83; the actual expenses of the present city government from October 1, the date of its organization, to the 1st of March, 1855, \$360,273.00; the total amount of the liabilities of the city, exclusive of debts contracted prior to May 1, 1851, \$1,959,238.45. The expenses for the remainder of the fiscal year were estimated at \$266,567.92. The total amount of receipts of the city from the 1st of July, 1854, to the 1st of March, 1855, was \$1,343,433.18, and the disbursements during the same period, \$1,401,458.96, the above receipts being in such a form that only \$501,088.50 were actually available, leaving a balance against the city of \$842,344.58—to use the Mayor's own words, "a most unsatisfactory condition of affairs."

March 13. An adjourned meeting of the depositors and creditors of Wright's Bank was held, when the propositions made at the previous meeting were adopted. News was received of the wreck of the steamship *Major Tompkins* on the 10th of February at the mouth of Victoria Harbor. She was engaged in the Puget Sound trade.

March 14. The case of J. R. Robinson, charged with illegally disposing of the funds and assets of the savings bank, with intent to defraud his creditors, after a slight examination before the Recorder, was sent up to the Grand Jury. The bail of the defendant was fixed at \$4,000. A suit was commenced in the Twelfth District Court against T. W. Park and F. Billings, on the complaint of A. A. Cohen, Receiver, that the former had extorted a fee of \$10,000 from Adams & Co. on the evening previous to the suspension of that house. The matter caused a good deal of discussion, and led to the publication of several cards upon the subject in the newspapers by the parties. J. Hubert Sanders, a broker and lawyer, was arrested on a charge of forgery. He gave bonds in the sum of \$10,000, and managed to make his escape from the city during the evening. He had manufactured or forged a number of mortgages, by which he had defrauded a number of Frenchmen of a large amount of money.

March 15. A Mr. Atkinson brought reports from the Kern River mines, declaring them to be a humbug. The celebrated case of Hamilton Bowie, charged with malfeasance in office as City Treasurer, was brought to an end in the Court of Sessions, the jury bringing a verdict of "not guilty."

March 16. David B. Ackey, convicted of assault with a deadly weapon upon Judge McCabe and sentenced to one year's imprisonment, was pardoned by the Governor. The P. M. S. *John L. Stephens* arrived and brought news that Messrs. Page & Bacon of St. Louis had resumed payment on the 15th of February. The \$8,000 stolen from Mr. Hagan, while on his passage to Sacramento in the steamer *New World*, was recovered

by Officer Gilchrist of that City. It was found stuffed away in a stove of a room in Sackett's Building; the occupants, James McLane and C. T. Taylor, were arrested on suspicion.

March 17. St. Patrick's Day was celebrated by a grand procession, a dinner and a ball. News was received that the bark *American*, with Meiggs and family, had arrived on the 12th of January at Talcahuana, and that the family had taken up its residence in Concepcion. Further accounts received from Kern River mines declared them not a humbug to those who chose to work.

March 19. Charles D. Cushman was elected Assistant Alderman of the Sixth Ward.

March 22. Capt. T. B. Cropper, late commander of the Nicaragua Company's *S. S. Cortes*, died after a lingering illness of about three months. Mr. Julius Levy, of the firm of St. Losky, Levy & Co., was arrested on charge of smuggling a quantity of cigars through the Custom House. Mr. William A. Cornwall, the Secretary of the Senate, was expelled, and Mr. Charles Dickinson elected in his place.

March 23. The remains of Captain Cropper were attended to the grave with Masonic honors. Two frame buildings on Sacramento Wharf, between Drum and East streets, were precipitated into the bay in consequence of the piles upon which they were erected having been destroyed by worms.

March 26. The pavement on Kearny Street, between Clay and Washington, was completed.

March 28. The *P. M. S. S. Golden Age* arrived, bringing among the passengers Mr. W. H. Aspinwall, Senator William M. Gwin, and the Hon. Milton S. Latham. She also brought news of the appointment of M. Hall McAllister, Esq., to be U. S. Circuit Judge for Oregon and California; also of the confirmation by the U. S. Supreme Court of J. C. Frémont's celebrated claim to the Mariposas; also that of A. A. Ritchie to the Suisun Rancho.

March 29. A letter purporting to be from Henry Meiggs, dated at Talcahuana, was published in the *Herald*. It denied the charges that had been made against him, threatened certain disclosures, and promised a return to San Francisco. The house of Messrs. Page, Bacon & Co. resumed payment. The large jobbing house of Sherry, Janes & McCrea failed for about \$100,000. A large meeting of the citizens was held at the Merchants' Exchange to express their feelings with regard to the Bill for the Funding of the City Debt pending in the Legislature. A committee was appointed to draft resolutions. The general feeling was in favor of funding the debt at five per cent.

March 30. At an adjourned meeting of citizens at the Merchants' Exchange, the committee previously appointed reported a series of resolutions, the principal of which was, "That the legal and equitable indebtedness of the city should be funded at a rate of interest not exceeding eight per cent. per annum, and that the legislature should appoint three commissioners of the highest character, whose duty should be to investigate all evidences submitted to them, and without whose approval no claim should be funded." This resolution, after being amended so as to read "at five per cent. interest," was adopted. The question whether Street Assessment warrants should be funded was put to vote and lost.

March 31. The Grand Jury, by their foreman, Lucien Herrman, Esq., for the February term, made their report to the Court of Sessions. They praised the general organization and discipline of the School Department, but advised the erection of other and suitable school houses at the Mission, Rincon Point, and for Bush and Washington street schools; also, an additional building for the accommodation of the colored population; recommended that the County Jail should be enlarged and means taken for its proper ventilation and purification; praised the condition of the City Prison,

but censured the construction and arrangement of the outhouses, &c; questioned the right of policemen to release any prisoner upon their own authority; directed attention to that class of nuisances called Sailor Boarding-Houses; presented W. H. Mathews, late City Tax Collector, for illegally and improperly collecting taxes; also, George Ensign, clerk of Street Commissioner, for receiving \$100, to be used in influencing the vote of a certain alderman in passing a Street bill; questioned the right of the City Controller to charge a commission for subdividing warrants issued on bills passed by the Common Council; hinted at the numerous reports about the malfeasance, corruption and dishonesty of the City officials, but declared that they were unable to arrive at results sufficiently clear to authorize them to frame indictments; lamented the present financial condition of the City; and, lastly, recommended, with a view to save expense, that the City and County offices be consolidated. In the matter of Adams & Co., Judge Lake suggested that there should be three assignees elected, whose election should be dependent upon the majority of amount, and appointed three referees to register the votes and amounts, and report accordingly. The Grand Jury indicted Charley Ah You, Chief of the Thung Shun Tung Company, for assembling parties of armed men for the purpose of disturbing the peace, and presented Aldermen James T. Hyde, J. L. Van Bokkelen and C. E. Buckingham, and Assistant Alderman Jonathan Wilde, on a charge of malfeasance in office; they also indicted Assistant Alderman I. M. Merrill on a similar charge.

April 1. The whaling bark *R. Adams* arrived, after an absence of six months, bringing 6,000 gallons sperm oil and 1,500 gallons black fish oil.

April 2. The contract to take charge of the patients remaining in the State Marine Hospital was awarded to Dr. Henry Gibbons, at \$5,000. The second distribution of the California Art-Union took place at the Metropolitan Theater. The first prize was held by Mr. B. C. Horn, of the firm of B. C. & T. L. Horn, and drew an ingot valued at \$5,000. The drawing was made by two little girls, and the whole affair was conducted to the satisfaction of everyone. J. T. Haus was declared elected Justice of the Peace for the Fifth Township. The City election of Sacramento resulted in favor of the Know-Nothings, J. S. English being elected Mayor.

April 3. Madame Anna Bishop, assisted by a number of distinguished artists, gave the first of a series of musical performances at Musical Hall; it consisted of Haydn's celebrated oratorio *The Creation*.

April 4. Antoine Rosentiel, an old member of Colonel Stevenson's regiment, who had for some time been suffering with consumption, suddenly fell dead on Bush Street.

April 5. The Supreme Court decided against the City in the case of the City *vs.* Kelsey Hazen, and by such decision declared that the sale of City Slip property in December, 1853, was null, because the ordinance authorizing it was not legally passed, it having received only four votes instead of five, the majority required by the Charter, and consequently the title to the City Slip property not having passed by such sale, it still remained in the City. The effect of this decision was that the entire Slip property was immediately covered by attachments, issued in favor of those who had claims against the City.

April 6. Good Friday: the Legislature adjourned out of respect to the day. The city papers on this and preceding days contained various communications and statements to the effect that the Zamorano document, upon which the title of the City as a pueblo chiefly rested, was a forgery, which caused much excitement in the community. A great running match came off on the Sutter Race Course, near Sacramento, two mile heats, best three in five, for a stake of \$10,000, and a purse of \$1,000, between "Attila" and "Wake-up-Jake," which was won by the latter.

April 7. The special committee appointed to investigate the charges of malfeasance against Assistant Aldermen Merrill and Wilde reported a resolution requesting the accused to vacate their seats until the charges were fully investigated. Mr. Ah The and Miss Sag Sung were united in the bonds of matrimony by Justice O. Bailey. This is believed to have been the first civil Chinese marriage in California. The bill authorizing John A. Clark to sign the Records of San Francisco County left unsigned by F. B. Russum was passed by the Senate and became a law. By a statement in the *Herald*, it appeared that the total amount of coinage of the U. S. Branch Mint at San Francisco for the period extending from April 3, 1854, to March 31, 1855, was—gold coinage, \$7,615,307.00; silver, \$45,400.00; bars, \$6,434,065.06; total, \$14,094,772.06. The first number of the *Fireman's Journal*, edited by Marcus D. Boruck, made its appearance.

April 9. In the Fourth District Court, the bonds of the assignees of Adams & Co. were fixed at \$1,000,000, and of I. C. Woods, an insolvent debtor, at \$250,000.

April 10. A desperate affray occurred among some "long-shore" men at a sailor boarding-house on Jackson Street, in which a man named Ponsford received several stabs which were thought mortal.

April 13. The P. M. S. S. *Golden Gate* arrived, bringing news that Congress had authorized the transportation of the mails overland from Independence to San Francisco by way of the Huerfano, Little Salt Lake and Stockton.

April 17. The claim of Charles M. Weber to eleven square leagues of land in San Joaquin County, called Campo Francia, and including the city of Stockton, was confirmed by the U. S. Land Commissioners; also that of Joaquin Ysidro Castro for San Pablo, four square miles in Contra Costa County.

April 18. A statement was published in the *Herald* that the notorious forger, J. G. Hubert Sanders, left this city in the ship *Elvira Harbeck*, which sailed for China via Honolulu.

April 20. An affray occurred on Clay Street between two Germans named Albert Hoepkin and Rudolph Schandorf, in which the latter was mortally wounded.

April 21. In the U. S. District Court, a warrant was issued for the apprehension and recapture of a colored boy named George, the property of Jesse C. Cooper of Tennessee, who arrived in this country in 1849, under the Fugitive Slave Law. The Senate passed the Bill appropriating \$100,000 for the construction of a wagon road from Sacramento to the Eastern boundary of the State by way of Johnson's Cut-off.

April 23. A young man named Theodore Bahnsen, of the firm of Correa & Bahnsen, committed suicide in Yerba Buena Cemetery. He was a native of Denmark, who had arrived here in 1850, and was supposed to have been driven to the melancholy act by pecuniary embarrassment. The San Francisco Blues and California Guards left in the *Wilson G. Hunt* on a pleasure excursion to Sacramento.

April 24. The body of Leslie Steen, whose mysterious disappearance on the night of the 13th ult. gave rise to suspicions of foul play, was found floating in the water under Pacific Street Wharf by a boatman named Palmer. A money-belt containing about \$3,000 was found secured around the body, and as no indications were noted that warranted the supposition that the unfortunate man came to his death by foul means, the Coroner's Jury returned a verdict of accidental drowning. Joaquin's [Murieta] head was seized by virtue of an attachment and taken to the Sheriff's office to satisfy a judgment for debt. Six claims of José Y. Limantour to tracts of land in various parts of the State, amounting in all to 119 square leagues and 400 varas, were rejected by the U. S. Land Commissioners. The Nicaragua S. S. *Sierra Nevada* left for San Juan del Sur, carrying treasure to the value of \$317,937.50.

April 25. The clipper ship *Neptune's Car* arrived, ninety-seven days from New York.

April 26. The Bill of Mr. William W. Hawks, to consolidate the Government of the City and County of San Francisco, passed the Senate.

April 27. The new steamboat *Surprise* made a pleasure excursion to Vallejo and Mare Island. A man named George Shropshire was arrested, charged with obtaining a number of Adams & Co.'s certificates from persons in Stockton on the pretence that he could get them cashed at forty cents discount. A son of Captain Harlowe, of the clipper ship *Telegraph*, fell from the mizzen-top and received injuries which were supposed to be fatal.

April 28. Mr. Johnston's Bill, providing a new charter for the City of San Francisco, passed the Senate, the section relating to the sale of city property being stricken out. The opera of *La Dame Blanche* was presented at the Metropolitan Theater, on which occasion a French prima donna made her first appearance. A yacht-race came off between the *Mischief*, *Eclipse*, and *Flying Cloud*, which was won by the latter. A new propeller, named *Martin White*, intended for the coast trade, arrived in one hundred and thirty-eight days from Philadelphia.

May 1. The P. M. S. S. *Sonora* arrived, bringing news of the failure of the house of Page & Bacon, of St. Louis. Shortly after the receipt of this intelligence, attachments were issued against the house of Page, Bacon & Co., of this city, to the amount of \$98,769.46. The P. M. S. S. *Golden Gate* left for Panama, carrying treasure to the value of \$1,494,361.56.

May 2. Shakespeare's *Much Ado About Nothing* was brought out at the Metropolitan, Mrs. Sinclair appearing at Beatrice, and Mr. Edwin Booth as Benedict. In consequence of the disastrous news received from the East, a run was made upon the house of Messrs. Page, Bacon & Co. of this city. All the money at the time in its vaults, amounting to \$317,000, was paid out to the depositors and those who had procured attachments. The house then confessed judgment for the sum of \$400,000 in favor of the guarantors of time certificates issued after its first suspension, and its doors were closed. By a statement published in the *Herald*, it appeared that the total amount of the liabilities of the house was \$620,169.58, and of attachments issued against it, \$220,149.58, of which \$93,947.70 was satisfied. A preliminary meeting of gentlemen was held at the St. Nicholas Hotel for the purpose of organizing a Jockey Club.

May 3. The opera *I Lombardi* was to have been performed at the Metropolitan; but in consequence of a misunderstanding, the Italian Company refused to perform, and the comedy *Much Ado About Nothing* was substituted in its place.

May 4. The Senate passed the Act to fund the Floating Debt of the City of San Francisco. The brig *Vesta* left for Realejo, with Colonel Walker and fifty-six men, composing the Walker Nicaragua Expedition.

May 5. Mrs. James Stark took a benefit at the Metropolitan Theater, on which occasion *Richelieu* and *The Mountaineers* were performed. The Senate passed an Act to Legalize the Assessments of the City and County of San Francisco for the Years 1854 and 1855.

May 6. The great will case of *Peralta vs. Peralta* was decided by Judge Hester of the District Court of Santa Clara County. The effect of this decision is to set aside the will of Peralta and give to his five daughters a *pro rata* proportion of the vast estate across the Bay which had been left to his four sons exclusively. The annual German spring festival of *Mai Fest* commenced at Russ' Garden. The Governor approved the Act to Reincorporate the City of San Francisco. The discussion of the opera question between Mrs. Sinclair and Madame Thorn called forth a statement from Mr. Blossom, treasurer of the Metropolitan, by which it appeared that the production of the operas by the Barili troupe had caused the management a loss of \$9,977.

May 8. Both houses of the legislature adjourned. The amount of appropriations during the session had been \$1,144,441.17.

May 10. The sale of real estate for State and County taxes, T. J. Poulterer, auctioneer, commenced before the City Hall.

May 11. The steamboat *New World*, while on her trip to Sacramento, and when about twenty-five miles from that place, was disabled by breaking her walking-beam, which fell, damaging the saloon, upper, and cabin decks. She was towed to Sacramento by the *Queen City*. Several thousand dozens of shovels, purchased at an average price of three dollars per dozen, were shipped on board the clipper ship *Charmer*, destined for the Crimea, to be used on the works of the railroad.

May 13. The schooner *W. A. Tarlton* arrived from the Galapagos Islands, having on board 580 terrapins, the largest quantity ever brought to this port at one time. Four prisoners, employed in the brickyard at Corte Madera, broke away from their guard. Three managed to escape; the other was shot down. The former, however, afterwards returned and gave themselves up.

May 14. The Rousset Sisters reappeared at the Metropolitan after a long absence in the States, on which occasion Mr. Corby, a comic dancer of some little merit, made his first appearance before a California audience. The ship *Sunny South* cleared for China, having on board the dead bodies of seventy Chinamen.

May 15. The claim of J. A. Sutter to thirty-three square leagues of land, situated on the banks of the Sacramento, American, and Feather rivers, and including the City of Sacramento, was confirmed by the U. S. Land Commissioners. The Board of Aldermen passed a resolution suspending Assistant Alderman J. Wilde from exercising the duties of his office until the charges made against him are examined into and reported upon by the Grand Jury. An appropriation of \$130,000 was made for the Fire Department. The steamboat *Senator*, when about four miles from the city, on her way to Sacramento with a large quantity of freight and a number of passengers, was found to be leaking badly. She put back to the wharf; her passengers and freight were landed, and shortly afterwards she sank.

May 16. The *Senator* was raised by means of a steam pump. She was found to have received but slight damage, and can soon be made to resume her place on the line. The clipper ship *Herald of the Morning* arrived, after a passage of ninety-nine days and twelve hours. The P. M. S. S. *John L. Stephens* arrived, bringing news of the loss of the steamer *Golden Age* at the northwest point of Ricaron Island, about 217 miles from Panama. The passengers and treasure were, however, all saved, many of the former returning on the *Stephens* to this port. The P. M. S. S. *Sonora* left for Panama, carrying treasure to the value of \$692,850, and the Nicaragua S. S. *Uncle Sam* for San Juan, with treasure to the value of \$523,472. One hundred and fifty U. S. Dragoons arrived in the *John L. Stephens*.

May 17. The election of delegates to the Democratic Nominating Convention took place. In the case of *Painter vs. Adams & Co.*, A. A. Cohen, Esq., receiver of Adams & Co., was arrested for contempt in refusing to inform the Superior Court regarding the assets and credits or other personal property belonging to Adams & Co. on the 23d of February. He was afterwards discharged on a writ of *habeas corpus* issued from the Fourth District Court.

May. 18. A fire broke out in the large block of frame buildings bounded by Sacramento, Davis, Commercial, and Front streets, and consumed property to the value of \$50,000.

May 21. On this and the preceding days, the Democratic Convention met to nominate candidates for the different municipal offices.

May 22. The U. S. Land Commissioners confirmed the claim of General M. G. Vallejo to the place called Petaluma, containing fifteen square leagues; and to that called Soscol, containing eleven square leagues, including the city of Vallejo; also the claim of Joel S. Polack to the Island of Yerba Buena; also of Charles Covillaud for part of eleven leagues first granted to John A. Sutter, located on the Feather River. The Board of Supervisors passed an ordinance for the purchase, at \$24,000, of a fifty vara lot and brick building on Greenwich Street, near Jones, to be used as a hospital for the indigent sick of the city and county.

May 23. The bark *Yankee* arrived from the Sandwich Islands, bringing news that Sanders, the notorious forger, had stopped at Honolulu on his way to China, per ship *Elvira Harbeck*. He had assumed the name of Albert and did not make himself known to any of the Americans on the island. The Union Hotel property, corner of Merchant and Kearny streets, was sold under a sheriff's execution, and purchased by Abel Guy for \$60,000.

May 24. A meeting of the holders of Page, Bacon & Co.'s time certificates was held in the rotunda of the Merchants' Exchange. A report of the condition of the affairs of the house was made, and the meeting addressed by Messrs. Parrott, Naglee and others of the bondsmen, but nothing encouraging to the depositors was elicited. The pilot boat *Golden Gate* made an excursion to the Heads—Governor Bigler and a number of distinguished functionaries participating in the pleasures of the occasion. A portion of the order of "Freedom's Phalanx" paraded the streets in procession, and finally, halting at the Arcade, were addressed by some of its prominent members.

May 25. The Democrats marched in procession through the streets, preceded by a band of music, and bearing banners and appropriate transparencies. Assembling at the Arcade, they were addressed by B. S. Lippencott, Esq., former Governor John McDougal, Judge Campbell, and other prominent speakers. The Know Nothings made the following nominations: Mayor, S. P. Webb; Controller, William Sherman; Marshal, Hampton North; Surveyor, G. W. Ryder; City Attorney, Bailie Peyton; Treasurer, David S. Turner; Harbor Master, G. W. Garwood; Tax Collector, E. T. Batturs; Clerk of Superior Court, J. B. McMinn; Aldermen: A. S. Peck, E. L. Morgan, C. W. Hathaway, J. W. Brittan, J. M. Tewksbury, A. C. Labatt, R. Rankin, J. Clarke; Assistant Aldermen: Milo Caulkin, F. M. Pixley, E. P. Peckham, C. J. Bartlett, B. H. Howell, W. H. Dow, Joseph Hubbard; Assessors: A. S. Vosbrough, M. F. Butler, W. F. Denio, M. S. Brown, R. M. Cox, R. R. Pierce, S. B. Burnham, and W. C. Bryant.

May 26. The S. S. *Sierra Nevada* arrived from San Juan, bringing 664 passengers, among whom were 83 children. The Democrats had a large and enthusiastic mass meeting in front of the Oriental Hotel which was presided over by Mr. B. F. Washington, and addressed by Mr. Thompson Campbell, Senator Gwin, Alexander Campbell, Elisha Cook, Esq., and Senator Weller. A letter was also read from Governor Bigler. After the addresses, the multitude, in number about 3,000, marched in procession, bearing torchlights and transparencies and preceded by music, through the principal streets of the city to the Plaza, where the several divisions separated and returned to their respective headquarters.

May 27. A man named Sayton suddenly decamped with the sum of \$1,600 which had been intrusted to him. It was discovered that for some time prior to his departure he had been engaged in windy operations, by which he had swindled many persons out of different sums, amounting in all to about \$7,000. His victims were chiefly French. The Act of the Legislature forbidding "Noisy and Barbarous Amusements" on the Sabbath went into effect.

May 28. Miss Davenport commenced a farewell engagement at the Metropolitan, appearing in the character of Camille, in which she was ably supported by Mr. Edwin Booth as Armand. The election of municipal officers took place. The Democratic candidates were—Mayor, James Van Ness; Controller, A. J. Moulder; City Surveyor, J. J. Hoff; Attorney, C. D. Judah; Treasurer, Wm. McKibbin; Tax Collector, W. G. Ross; Marshal, Major Thomas Glen; Harbor Master, John B. Schaeffer; Clerk of Superior Court, H. S. Labatt; Aldermen: Charles H. Corser, Joseph Hopkins, H. C. Bills, B. B. Coit, George C. Potter, R. W. Slocumb, Gilbert A. Grant, W. Green; Assistant Aldermen: Charles Wilson, R. J. Tobin, G. W. Murray, S. P. Whitman, Ezekiel Brown, John Vandewater, James C. Carey, J. B. Beideman; Assessors: Michael Gaffney, Charles Umber, H. F. Williams, D. W. Thompson, Matthew Joyce, A. M. White, George Birdsall, J. B. Johnson. The Know Nothing candidates, same as above stated. The election was conducted very fairly, with little or no disturbance at the polls.

May 29. Several men were arrested for illegal voting. The holders of Page, Bacon & Co.'s time certificates, and other creditors, held a meeting at their banking house, corner of Clay and Battery streets. The Committee which had been previously appointed reported that, upon a careful examination of the affairs of the house, they had found the assets nearly sufficient to cover all the liabilities; that they did not consider the obligors on the bond at all bounden to the holders of the time certificates; that they had waited on Mr. Page, and he had expressed a willingness and earnest desire to liquidate and pay all indebtedness against the firm. A letter from that gentleman was read, in which he proposed—on condition of the attaching creditors releasing their attachments, and the holders of time certificates releasing the obligors on the bond, and placing all the assets of the house in the hands of trustees, to be mutually chosen by the creditors and Page, Bacon & Co.—to dispose of the assets at the best price, and divide the proceeds *pro rata* among the creditors; to secure the payment of any deficit which might exist by giving a mortgage upon property near St. Louis, known as the Martin Koontz tract. Mr. C. K. Garrison proposed, upon similar conditions to those named by Mr. Page, to convey to the trustees to be chosen as aforesaid, for the use of the creditors, property to the value of \$44,000. The propositions of Messrs. Page and Garrison were accepted, and the meeting adjourned. The returns of the election, as far as received, showed that the following candidates had the majority: For Mayor, James Van Ness, Dem.; Controller, Andrew J. Moulder, Dem.; Treasurer, William McKibbin, Dem.; City Attorney, Bailie Peyton, K. N.; Surveyor, J. J. Hoff, Dem.; Tax Collector, E. T. Batturs, K. N.; Marshal, Hampton North, K. N.; Harbor Master, John B. Schaeffer, Dem.; Clerk of Superior Court, J. B. McMinn, K. N. In the Board of Assistant Aldermen, the report of the Grand Jury was read, to the effect that they have examined the presentment against Alderman J. T. Hyde, J. L. Van Bokkelen, C. E. Buckingham, and Assistant Alderman Jonathan Wilde, and that they found "no evidence of a character to warrant an indictment"; whereupon, a resolution was passed, that the charges made against Assistant Alderman Wilde, having been refuted by the Grand Jury, he be congratulated upon the result, and be welcomed back to a seat in the Board. The steamer *Sea Bird* brought news of serious difficulties between the Indians and whites at Klamath.

May 30. H. P. Watkins and George G. S. Stodder were elected Fund Commissioners, and Dr. Robert Worthington and Edward Gibbons, Aldermen of Oakland. The S. S. *Golden Gate* arrived from Panama, bringing a large number of passengers and a detachment of two companies for the Fourth Regiment of Infantry. A meeting of creditors of Page, Bacon & Co. was held at their banking house. The committee reported that the propositions made at the previous meeting had been favorably received by

most of those creditors whom they had visited. Upon the nomination of Mr. Page, Messrs. John Parrott, A. A. Ritchie and Ira P. Rankin were elected Trustees, to carry into effect the propositions. The meeting adjourned, to meet at the call of the committee. The P. M. S. S. *Republic* arrived from Oregon, bringing General Wool (who had been on a tour of inspection through Oregon and Washington Territories), Governor Purdy, Colonel Brunesville, Lieutenant Paine, and other officers. The Grand Jury for the May term made their report to the Court of Sessions, and suggested many municipal improvements and sundry moral reforms. They had found true bills for the following offenses: murder, 1; assault and battery, 2; assault with deadly weapons, 2; grand larceny, 7; petit larceny, 3; forgery, 3; burglary, 1; malicious mischief, 1.

May 31. Doubts having arisen whether the recent election and the canvassing of the returns and declaring the results were to be regulated by the provisions of the existing Charter, or those of the Charter adopted by the last Legislature, a resolution was introduced by Mr. Van Ness, in the Board of Aldermen, that the City Attorney be requested to give his opinion in writing, with regard to the proper construction of the said laws; also as to the period when the persons elected should enter upon the discharge of their respective duties; and, also, whether the election was called in accordance with any existing law. The Germans had a meeting in City Hall, denunciatory of the course of the *California Democrat*.

June 1. The trial of the great Argenti suit against the City, involving the case of the Constable Harding sale of City Slip property, was commenced in the Superior Court. The Board of County Supervisors passed an ordinance for the purchase of the property in the rear of the City Hall, consisting of a lot fronting on Dunbar's Alley, 42 x 23, with two three-story brick buildings upon it, for \$25,000; also to pay C. Bauer \$1,500 for his claim upon the lot occupied by the Hall of Records. In the Board of Assistant Aldermen, a resolution was passed repealing a resolution for the expulsion of Assistant Alderman Merrill from his seat in the Board, the Grand Jury having failed to make out a case against him, and the charges being withdrawn. The P. M. S. S. *John L. Stephens* left for Panama, carrying treasure to the value of \$1,340,807.83, and the Nicaragua S. S. *Pacific* for San Juan, with treasure to the value of \$620,306.50. The clipper ship *Metropolitan*, while taking in ballast at her berth at Broadway Wharf, suddenly filled and sank. The *John L. Stephens*, when about to leave the harbor, met with an accident to her machinery, which caused her to return to the wharf.

June 2. The City Attorney decided that the recent election was properly held; that the returns should be canvassed and the results declared, according to the provisions of the new Charter, and that the officers-elect enter upon the duties of their respective offices on the first Monday of July.

June 3. Hon. Delos Lake resigned his position as Judge of the Fourth District Court—his resignation to take effect on the 1st of July. A large shark, measuring over eleven feet and weighing about 175 pounds, was captured off the Heads by the crew of the schooner *Meda*. The raising of the clipper ship *Metropolitan* was accomplished, and it was thought that the cost of repairing the damages caused by the accident would not exceed \$2,000. Police Officer Capt. Joseph B. West was shot and instantly killed at the Mission while attempting to arrest two persons named Brace and Marion, who were suspected of having committed several robberies in the neighborhood. The murderers managed to make their escape, though pursued by Officers Durkee, Nugent and Talcott as far as the Lake House. Six persons, three men, two women and a girl, were baptised in the Mormon faith by Elder Parley P. Pratt at North Beach.

[To be continued]

WESTERN HISTORY

*A Check List of Recent Items Relating to California and the West**

BENNETT, MELBA BERRY

Robinson Jeffers and the sea. San Francisco: Gelber Lilienthal, Inc., 1936. xiv+173 pp., ills.

BOLTON, HERBERT EUGENE

Rim of Christendom: a biography of Eusebio Francisco Kino, Pacific Coast pioneer. New York: The Macmillan Company, 1936. xiv+644 pp., incl. index and bibliog.

BORG, CARL OSCAR

The Great Southwest etchings. Text by Gustavus A. Eisen, Leila Mechlin, Carl Oscar Borg. Compiled and edited by Everett C. Maxwell. Santa Ana: Fine Arts Press, 1936. 39 pp., ills.

BORG, CARL OSCAR, and SHEETS, MILLARD

Cross, sword & gold pan: a group of notable, full-cover paintings depicting outstanding episodes in the exploration and settlement of the West. With interpretive historical essays by Herbert E. Bolton, and a ballad by John R. McCarthy. Los Angeles: The Primavera Press, 1936. Unpaged, ills.

CAREY, CHARLES H.

A general history of Oregon, Vol. II. Portland: Metropolitan Press, 1936. 499 pp., incl. index.

CARLSON, OLIVER, and BATES, ERNEST SUTHERLAND

Hearst: Lord of San Simeon. New York: The Viking Press, 1936. xv+332 pp., incl. index, ills.

CARR, JOHN

A Vulcan among the Argonauts: being vivid excerpts from those most original & amusing memoirs of John Carr, blacksmith. Edited with a preface & postscript by Robin Lampson. San Francisco: George Fields, 1936. xi+73 pp., ills.

CASTAÑEDA, CARLOS E.

The Mission era: the finding of Texas, 1519-1693. 444 pp., incl. index and bibliog., ills. Also, The Mission era: the winning of Texas, 1693-1731. 390 pp., incl. index and bibliog., ills. Vols I and II respectively of the series entitled "Our Catholic Heritage in Texas, 1519-1936," prepared under the auspices of The Knights of Columbus of Texas, Paul J. Foik, ed., published at Austin by Von Boeckmann-Jones Company, 1936.

DEERING, MARGARET PERKINS

The hills of San Francisco. San Francisco: The National Society of Colonial Dames of America in the State of California, 1936. 24 pp., incl. bibliog., ills.

DRESSLER, ALBERT

California's pioneer artist, Ernest Narjot: a brief résumé of the career of a versatile genius. San Francisco: Albert Dressler, 1936. Unpaged, ills.

DRURY, CLIFFORD M.

Henry Harmon Spalding. Caldwell: Caxton Printers, Ltd., 1936. 438 pp., incl. index and bibliog., ills.

*Readers will confer a favor by furnishing out-of-the-way items for notice in this department. We shall cite books, pamphlets, broadsides, magazines and important newspaper articles of historical value. Send to the Secretary the items themselves or a card with the title written in the form used here.

HULBERT, ARCHER BUTLER

The call of the Columbia: iron men and saints take the Oregon Trail. Colorado: The Stewart Commission of Colorado College and The Denver Public Library, 1934. xviii+317 pp.

HULBERT, ARCHER BUTLER and DOROTHY PRINTUP

The Oregon crusade: across land and sea to Oregon. Colorado: The Stewart Commission of Colorado College and The Denver Public Library, 1935. xvi+301 pp.

LUNDBERG, FERDINAND

Imperial Hearst: a social biography. With a preface by Dr. Charles A. Beard. New York: Equinox Cooperative Press, 1936. 406 pp., incl. index and bibliog.

MERCER, A. S.

The banditti of the plains. San Francisco: Printed for George Fields by the Grabhorn Press, 1935. 136 pp.

MILLER, JOAQUIN

Joaquin Miller: his California diary beginning in 1855 & ending in 1857. Edited, & with an introduction by John S. Richards. Seattle: Frank McCaffrey, 1936. 106 pp., ill.

OLDER, MRS. FREMONT

William Randolph Hearst, American. With a foreword by Fremont Older. New York: D. Appleton-Century Company, 1936. xxiii+581 pp., incl. index, ill.

RUSSELL, CHARLES M.

Trails plowed under. Introduction by the late Will Rogers. Garden City: Doubleday, Doran & Company, 1936. xx+210 pp., ill.

UPSHUR, GEORGE LYTTLETON

As I recall them: memories of crowded years. New York: Wilson-Erikson, Inc., 1936. xi+271 pp., incl. index, ill.

WELLMAN, PAUL I.

Death in the desert: the fifty years war for the Great Southwest. New York: The Macmillan Company, 1935. xxvii+294 pp., incl. index, ill.

WILSON, RICHARD L., and TAYLOR, BENJAMIN F.

Short ravelings from a long yarn, or camp march sketches of the Santa Fe Trail. A foreword for this edition has been written by Mr. Henry R. Wagner. Santa Ana: Fine Arts Press, 1936. 168 pp., ill.

WINTHER, OSCAR OSBURN

Express and stagecoach days in California from the Gold Rush to the Civil War. Stanford University: Stanford University Press, 1936. xi+197 pp., incl. index and bibliog., ill.

ARIZONA HISTORICAL REVIEW

July, 1936, contains: "History of the Sheep Industry in Arizona," by Bert Haskett; "Resources of the Salt River Valley, 1872," by John Taber Alsap; "Railroad Transportation through Prescott—The Prescott and Arizona Central Railroad," by Lucile Anderson; "The Camp Grant Massacre," by Andrew Hays Cargill; "The Territorial Governors of Arizona—John Charles Fremont," by Eugene E. Williams; "Letter to Governor Goodwin, 1864," by Herman Ehrenberg.

CALIFORNIA HIGHWAYS AND PUBLIC WORKS

July, 1936, contains: "Marlette, California's First State Highway Builder, Was Forced to Borrow Road Funds From Public." August, 1936, contains: "How San Marcos Pass Saved California to U. S."

THE CALIFORNIAN (Carmel newspaper)

Weekly issues through June, July and August, 1936, contain a column entitled "Californiana from Old Files and Other Sources."

GRIZZLY BEAR

July and August, 1936, contain: "California Fifty Years Ago," compiled by Thomas W. McAuliffe.

HISTORICAL SOCIETY OF SOUTHERN CALIFORNIA QUARTERLY

March, 1936, contains: "A Visit to Los Angeles in 1843: Commodore Thomas ap Catesby Jones' Narrative of His Visit to Governor Micheltorena" (cont.); "The Ord Map of Southern California"; "Forster vs. Pico: A Forgotten California Cause Celebre," by Terry E. Stephenson (cont.).

THE MASTERKEY

July, 1936, contains: "A Prehistoric California Treasure-Box," by Edwin F. Walker.

MORNING UNION (Grass Valley and Nevada City newspaper)

Sunday issues, May 3 through June 7, 1936, contain: "Observations and Experiences—References in Life of William B. Meek," by Edmund G. Kinyon.

MOTORLAND

May, June, July and August, 1936, contain: "Historical Landmarks," and several articles by Aubrey Drury.

OREGON HISTORICAL QUARTERLY

June, 1936, contains: "The Coming of the White Women," by T. C. Elliott; "Spalding and Whitman Letters, 1837"; "Expenses of Mission Journey, 1836"; "Letters of Charles Stevens," ed. by E. Ruth Rockwood.

PACIFIC HISTORICAL REVIEW

June, 1936, contains: "Reapportionment in California," by Thomas S. Barclay.

PACIFIC NORTHWEST QUARTERLY

July, 1936, contains: "Martial Law in Washington Territory," by Capt. Samuel F. Cohn, U. S. A.; "The Reminiscences of Murdoch M. McPherson," ed. by Harold C. Vedeler.

PONY EXPRESS COURIER

July, 1936, contains: "History of the Pony Express," by Erle Kenney; "Ho! For Sun Peak," by Cecil G. Tilton; "Willow Springs," by W. H. Jackson; "California Landmarks," by May Southern. August, 1936, contains: "California in the Civil War," by Will O. Upton; "Wagon Wheels," by George J. Remsburg; "Moy Jin Mun, Chinese Pioneer," by William Hoy. Both issues contain "82 Years Ago This Month," by Robert Burdette Bowers.

WESTWAYS

June, 1936, contains: "Ice Age Elephants of the Channel Islands," by Chester Stock; "The Gold-Rush Hits Monterey," from *Three Years in California*, by Walter Colton. July, 1936, contains: "Hot Times in Old Cerro Gordo," by Philip Johnston; "San Francisco Haunts of Bret Harte," by Idwal Jones; "The Island That Moved to Let the Ships Go By," by Gene Stanley; "San Antonio Mission is

Founded," from *Life of Father Junipero Serra*, by Francisco Palou; "Sloth Tracks in the Carson Prison," by Chester Stock. August, 1936, contains: "Bad Indians at Pauma," by Arthur Woodward; "Scuttled Ships Along the Old Bay's Edge," by Idwal Jones; "Kit Carson at the Battle of San Pasqual," from *Kit Carson's Autobiography*; "Wives for the Boys in Seattle," by Carl Holliday.

YOSEMITE NATURE NOTES

July, 1936, contains: "Origin of the name Yosemite," by James E. Cole. August, 1936, is entirely devoted to Thomas Moran, artist.

MEETINGS OF THE SOCIETY

The Society held a luncheon meeting on Tuesday, June 16, 1936, at the Sir Francis Drake Hotel. The speaker was Mr. Maurice FitzGerald, who is probably the only man now living who took part in the campaign of 1872-73 against the Modoc Indians. He characterized the Modoc War as distinct from almost every other outbreak between Indians and white men in that the Modocs, although inferior in strength and equipment, held off three or four times their number of United States soldiers and may be said to have actually defeated the latter. This was due, not to superior skill on the part of the Indians, but to the peculiar nature of the scene of hostilities—the Lava Beds of northeastern California. Mr. FitzGerald gave an eyewitness account of the killing of General Canby and the other commissioners to the peace conference, told also of the ensuing attempt to drive the Indians out of their stronghold in the Lava Beds, and of the ultimate court martial and hanging of Captain Jack and other Modoc leaders. Forty-six members and guests attended the luncheon.

At the Society's luncheon meeting on Tuesday, August 18, 1936, at the Sir Francis Drake Hotel, Mr. Henry R. Wagner spoke on "The Hartnell School at Alisal, 1836."

Mr. Wagner told briefly of William P. Hartnell's background in England, where he was born, of his university education in Germany, his first job with John Begg & Company in Chile, and of his few years' partnership in McCulloch, Hartnell & Co., hide and tallow traders, after his arrival in California in 1822. Some time after the failure of his business in 1828, Hartnell, with a Father Patrick Short, who came to California from the Sandwich Islands, established a school at Alisal. Mr. Wagner read from the original prospectus in Spanish, a rare item in his collection, which was issued in manuscript in 1833. In 1836 a census listed some forty persons at Alisal, including the Hartnell family, Short, the pupils, sons of well-known Californians, and several Indians. The school was short-lived, however, for 1837

found it closed, probably because Hartnell had obtained a government job, which he held for some years. Mr. Wagner also read from a book published in Switzerland in 1855, written by Carl Meyer, who visited Alisal in 1852. Meyer gave a delightful account of the people and life at the ranch, especially of the Californians' insatiable love of dancing. He described the Hartnell family as well educated and cultured. Mr. Wagner exhibited pictures of the adobe house at Alisal, and of Mr. Hartnell and his wife, an estimable California lady who bore twenty-two children, of whom fourteen lived. There were forty-five members and guests present at the meeting.

Laura R. White.

GIFTS RECEIVED BY THE SOCIETY

June 1 to August 31, 1936

BOOKS AND PAMPHLETS

From MR. ALBERT M. BENDER—Bennett, Melba Berry, *Robinson Jeffers and the sea*, S. F., 1936; Burton, Richard F., tr., *The Kasidah of Haji Abdu El-Yezdi*, S. F., Book Club of Calif., 1919; Carr, John, *A Vulcan among the Argonauts*, Robin Lampson, ed., S. F., 1936; Cheney, John Vance, *At the silver gate*, N. Y. [1911]; Dressler, Albert, *California's pioneer artist, Ernest Narjot*, S. F., 1936; Fischer, Frank, *Fact and fancy*, S. F., 1934; Fleming, Ida Capen, *Wind-swept strings*, S. F., 1934; Irwin, Inez Haynes, *Californiacs*, S. F., 1926; Jackson, Joseph Henry, *Mexican interlude*, N. Y., 1936; Leibfreed, Edwin, *The man of a thousand loves* [San Jose, 1932]; [Lummis, Charles F.], *In memory of Juan Rodriguez Cabrillo who gave the world California* [Chula Vista, 1913]; Macdonald, Augustin S., *Little literary lights*, S. F., 1915; Miller, Joaquin, *Light*, Boston, 1907; Robertson, Louis Alexander, *Through painted panes*, S. F., 1907; Southworth, May E., *A certain young man of Assisi*, S. F., Nash, 1934; Taylor, Edward R., tr., *Sonnets of José Maria de Heredia*, S. F., Doxey, 1898; and others.

From MR. ANSON S. BLAKE—Eldredge, Zoeth S., ed., *History of California*, N. Y., n. d. (5 vols.).

From MR. P. R. BRADLEY, MRS. L. B. HOGUE and MRS. S. A. LEGG—Bradley, H. S., MS copy of log of the bark *Orion*, 1848-49.

From MISS STELLA HUNTINGTON—Jordan, David Starr, and Cather, K. D., *Highlights of geography—Europe*; Idem, *Highlights of geography—North America*, Yonkers, 1925.

From MR. FRANK McCAFFREY—Miller, Joaquin, *His California diary, beginning in 1855 and ending in 1857*, edited by John S. Richards, Seattle, 1936.

From THE PRIMAVERA PRESS—Borg, Carl O., Sheets, Millard, Bolton, H. E., and McCarthy, John R., *Cross, sword and gold pan*, Los Angeles, [1936].

From STANFORD UNIVERSITY PRESS—Winther, Oscar O., *Express and stage coach days in California*, Stanford University, [1936].

From MR. H. R. WAGNER—Carson, Kit, *Autobiography*, Chicago, 1935; [Costanso, Miguel], *Diario Historico* [Mexico, 1770] (photostat); 3 bound volumes of copies of documents and correspondence relating to the Drake expedition; bound volume of copies of Fenton expedition documents; Powers, Stephen, *Tribes of California*, Contri-

butions to North American Ethnology, III, Washington: Dept. of the Interior, 1877; Reveley, William, tr., *Historical journal of the expeditions . . . to the north of California in 1768, 1769, and 1770*, London, 1790 (photostat); *Le voyage curieux fait autour du monde, par François Drach*, Paris, 1641, with map; Wilson, Richard L., and Taylor, Benjamin F., *Short ravelings from a long yarn, or camp march sketches of the Santa Fe trail*, Santa Ana, 1936; *Hispanic American Review*, Vols. VIII-XV; *Southwestern Historical Quarterly*, Vols. XIX-XXVI, XXXVII-XXXIX; *Quarterly of the Texas State Historical Association*, Vols. I-XVIII (bound).

From MR. ROBERT WALSH—*Annual report of the U. S. Geological Survey, 1880-1881*, Washington, 1882.

From MISS LOTTIE G. WOODS—Deering, Margaret P., *The hills of San Francisco*, San Francisco, 1936.

PICTURES

From MR. ALBERT M. BENDER—Oil painting of Court of Abundance, 1915, by Kate Montague Hall (framed); water color painting of Japanese tea garden, Golden Gate Park, by Sergey Scherbakoff (framed); drawing showing Alcatraz Island, Angel Island, Sausalito, etc., made in the 60's by a member of the U. S. Coast and Geodetic Survey (framed); photograph of James Lick (framed); 8 photographs by Ansel E. Adams; reproduction of sketch of Joaquin Miller.

From MISS JULIA BRENNER—Photograph of a stagecoach in front of the old Pescadero Hotel.

From MR. E. A. BURBANK—Pencil sketch of an old adobe near Napa, made by himself; panorama of Mare Island Navy Yard, lithographed.

From MISS PEARL ADAIR PEARSON—Photograph of residence corner of Bush and Hyde streets, San Francisco, before the fire of 1906.

From MISS JUANITA MILLER—Reproduction of sketch of Joaquin Miller, made by herself; diagram of planting of trees on Yerba Buena Island, 1886; photograph of trees planted in the form of a cross at Joaquin Miller's home in the late 80's.

From MISS ALICE VAN PELT—Daguerreotype of Peter Van Pelt and another officer in uniform; photograph showing Peter Van Pelt and other members of firm of H. M. Newhall & Sons.

From MR. ROBERT WALSH—Photograph of Bret Harte; 4 stereoscopic views of scenes along Central Pacific Railroad; photograph of burning of steamer *Progreso*, December 3, 1902.

MISCELLANEOUS

From MR. L. E. GREENE—Deed to San Francisco lot, signed by John W. Geary, first alcalde, 1849 (framed).

From MRS. EDWARD RAINEY—Programs: Farewell tour of Madame Adelina Patti, Grand Opera House, January 29, 1887; *Merchant of Venice*, California Theatre, May 20, 1889; historical spectacle *America*, Auditorium, April 22, 1893.

From MISS ALICE VAN PELT—Permit to H. M. Van Pelt to clean ruins at 320 Fremont Street, April, 1906; Masonic Lodge certificate of Peter Van Pelt.

From MR. ROBERT WALSH—*State Capital Globe*, May 14, 1876; program of Milan Grand Opera Company, September-October, 1907.

From MRS. A. B. WIEDENTHAL—San Francisco *Examiner*, 21 nos. in April-May, 1906; San Francisco *Chronicle*, 5 nos. in April-May, 1906; San Francisco *Daily News*, May 3, 1906.

From MISS LOTTIE G. WOODS—Various programs, broadsides, etc.

In Memoriam

WILLIAM FREDERIC BADÈ

1871-1936

Dr. William Frederic Badè, who had long been a member of the California Historical Society and had been connected for thirty-four years with the Pacific School of Religion, died at his home in Berkeley, March 4, 1936. Dr. Badè was an eminent scholar in many fields: a world renowned authority on the Old Testament, an archaeologist, a botanist and a writer. Having been a close friend of the late John Muir, naturalist, he became his literary executor, published Muir's letters and wrote his biography. Among Dr. Badè's Biblical works are, *The Old Testament in the Light of Today*, *Tell en-Nasbeh Excavations* and *Some Tombs of the Tell en-Nasbeh Necropolis*.

Dr. Badè was born in Carver, Minnesota, January 22, 1871, the son of William Burns and Anna Voigt Badè. He took his A. B. degree at the Moravian College in Pennsylvania in 1892 and his Ph.D. in 1898. In 1895, Yale University conferred upon him the degree of Bachelor of Divinity. He likewise held degrees from Lehigh University, the University of Berlin, and Pomona College. His memberships in learned societies make an imposing list. In 1916, Dr. Badè was chairman of the California Commission for the Relief of Belgium and Northern France. Besides his long membership in this society and in the Sierra Club, Dr. Badè held memberships in the Authors' Club of London and many others.

In 1906, Dr. Badè married Miss Evelyn Marianne Ratcliff, whose death occurred the year following. In 1917, he married Miss Elizabeth Le Breton Marston, who, with three of their children: Mrs. Evelyn Mary Gulick, Elizabeth Le Breton Badè and William George Badè, survives him.

FREDERICK C. CLIFT

1867-1936

Mr. Clift, for many years a member of the Society and a former Director, died at his home in Santa Barbara on June 30, at the age of sixty-nine. He was born in Nevada County, California, in 1867, and received his schooling in Oakland, at the University of California, and at the Hastings Law School. Before entering the hotel business in 1914, he had served as a justice of the peace in Oakland. His owner-management of the Clift Hotel, built in 1915, continued until 1934, when he purchased hotel property in Santa Barbara and took up his residence in that city.

Mr. Clift's collection of relics of California's early days was one of the foremost in the state. He is survived by his widow, Mrs. Grace S. Clift, and two daughters, Mrs. John S. McCall and Mrs. Henry Kinsell.

JOHN HAYS HAMMOND

1855-1936

John Hays Hammond, who died June 8, 1936, was born in San Francisco on March 31, 1855. He was descended from an illustrious Maryland family located at Hagerstown, and was the son of Major Richard Pindell Hammond, a distinguished veteran of the Mexican War who came to California on the S. S. *Oregon*, April 1, 1849, on garrison duty as major of artillery in the United States Army. His mother was Sarah E. Hays, a sister of Colonel John Coffee Hays, the celebrated leader of the Texas Rangers who became the first sheriff of San Francisco, and for whom Mr. Hammond was named.

Major Hammond, together with the later General William Tecumseh Sherman, surveyed the channel from Benicia to the mouth of the Sacramento River, and at that point laid out the "City of New York of the Pacific" for Colonel J. D. Stevenson. After lapsing many years, the site of this early "boom town" is now occupied by the industrial city of Pittsburg. In 1851, charmed with California and its many possibilities, Major Hammond resigned from the army and surveyed the city of Stockton for Charles M. Weber. Later he surveyed Tuolumne City. He at once became a man of mark in the community and was elected to the Assembly, becoming speaker in 1852. He held many important offices, including that of collector of the port in San Francisco.

At the age of sixteen, John Hays Hammond was sent to Hopkins Grammar School, New Haven, to prepare for Yale. He entered Sheffield Scientific School in 1873. After completing his course there, he entered the Royal School of Mines at Freiberg, Germany, then the acknowledged premier mining school of the world.

On his return to America, his first employment was with the U. S. Geological Survey collecting statistics of the mines of the West. In 1881 he was engaged in professional work in all parts of the West. In 1882 he accepted the management of the Minas Nuevas at Alamos, in the State of Sonora, Mexico, where he remained until June, 1883. On his return to the United States, he became consulting engineer for several important mining properties, including the Empire and North Star mines at Grass Valley. In 1886 he made his first step to great prominence in the mining world by securing and financing the Bunker Hill and Sullivan mines at Wardner, Idaho, with some of the best known financiers in the United States, including James Houghteling, E. L. Ryerson, and Cyrus McCormick, of Chicago; D. O. Mills and Seward Webb, of New York; and William H. Crocker, of San Francisco. The property proved immensely valuable and it is still the premier silver-lead mine of the United States.

In April, 1893, he accepted the offer of Barnato Brothers of London to go to South Africa as consulting engineer for their numerous gold mines

at Johannesburg. He went on a six months' contract, and at the end of that time left them to join Cecil J. Rhodes as consulting engineer of the Consolidated Goldfields Company, in the Transvaal, and the British South Africa Company, which then controlled Northern and Southern Rhodesia. His association with Rhodes was extremely successful. Shortly after, in 1895, the trouble arose between the Johannesburg mining industry and the Boer government that became interwoven with the Jamieson Raid. Mr. Hammond was the moving spirit in seeking better conditions for the industry and was on the Executive Committee of Five. He was arrested and sentenced to death with the other members of that committee, but the affair was settled by his payment of a fine of \$125,000.00. Shortly after this, he removed to the London office of the Rhodes companies, where he was for several years, returning to the United States in December, 1899. He at once opened offices in New York and became interested in many mining and power projects. In 1903, through William C. Whitney, who had a large interest in the Guggenheim Exploration Company, he became the consulting engineer for that organization on both a salary and a percentage basis, and was widely known as the highest paid mining engineer in the world. He remained with them until 1907.

Shortly afterward, having leisure and abundant means, he turned his attention to politics, largely through his friendship with William H. Taft. Residing in Washington, he had great influence with the Taft Administration. When it came to the coronation of King George V, Mr. Hammond was appointed special ambassador to represent the United States. His second diplomatic mission to Europe was to arrange for the participation of the various European countries in the Panama-Pacific Exposition at San Francisco in 1915. He later became president of the World Court League.

In addition to his great ability in his profession, Mr. Hammond was gifted with a most unusual degree of personal charm. He was always approachable, extremely sympathetic, and never failed to make friends with all with whom he came in contact. He was always helpful to younger men in his profession, especially to those from his native state. He lived to a ripe old age and enjoyed the fullest and most extensive career of any one in the mining profession. His reputation was world-wide, and his circle of friends was just as wide and celebrated.

Mr. Hammond married Natalie Harris, a niece of General Nathaniel Harris of Mississippi, in 1879. His wife was constantly with him in all his changing residences and was of the greatest comfort and assistance in the difficulties arising from the Jamieson Raid in South Africa. Mrs. Hammond passed away in June, 1931. Four children survive: Harris, John Hays, Jr., Richard, and Natalie.

ERNEST A. WILTSEE.

JULIEN HART

1874-1936

Mr. Hart was a native of San Francisco, where he was born on November 30, 1874. After graduation from the Lowell High School, then known as the Boys' High School, he went to Switzerland where he attended the University of Switzerland. Upon his return to San Francisco he entered the silk business with his brother Benno. He later married Miss Helen Neustadter, who predeceased him. The children of this union are Mrs. Joseph Bransten and James David Hart. From the date of his retirement from business in 1932 until his untimely death on May 20 of this year, while fishing on the Klamath River, he traveled extensively but still retained his great interest in the Homewood Terrace Orphanage, of which he was a trustee.